The background of the cover features a blurred crowd of people, overlaid with a white network diagram consisting of interconnected nodes and lines. The nodes are represented by small, glowing circles, and the lines are thin white lines connecting these nodes across the entire page.

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Table of Contents

<i>Azatian, M.V., Bugayenko, D.I.</i> Features of Moscow budget execution for 2020-2021	7
<i>Kolmakova, A.S.</i> Budget analysis of the City of Nizhny Novgorod	19
<i>Korsakov, D.V.</i> Project management for the implementation of lean manufacturing at an industrial enterprise	29
<i>Shaclein, B.A.</i> Technologies of political manipulation in the era of post-truth (on the example of the confrontation between the USA and the Russian Federation)	41
<i>Zborova, S.I.</i> Law in the process of globalization	57
<i>Lartsyn, I.P.</i> Features of the development of the electoral law of Great Britain in the 19th century	73
<i>Farina, D.A.</i> Constitutional and legal responsibility as a social institute for the regulation of public relations	80

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Features of Moscow budget execution for 2020-2021

Abstract: Moscow is one of the largest cities in Europe. The study of its budget, the transformation of budget planning and execution, the characteristics of individual budget sections is an urgent topic for many economists and lawyers working in international statistics especially during the COVID-19 pandemic. The study purpose is to analyze the implementation of the Moscow budget for 2020-2021. Legislative, regulatory documents, like statistical data of the Rosstat were used to achieve the purpose of the study and to solve the tasks set. From the analysis of the indicators of 2020 and 2021, like summary data for the last ten years, it is clear there is a tendency to increase both budget revenues and their expenditures every year. It is due to the unconditional growth of the tax base because it previously learnt that tax revenues are the most significant for the subject and the need to renovate its urban space. Mainly renovation and development are expressed in the transport links' construction of transport financing of housing programs.

Keywords: Moscow budget, budget execution, municipal budget, Moscow, covid pandemic.



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Особенности исполнения бюджета Москвы за 2020-2021 годы

Аннотация: Москва является одним из крупнейших городов Европы. Исследование его бюджета, трансформации бюджетного планирования и исполнения, характеристики отдельных разделов бюджета является актуальной темой для многих экономистов и юристов, работающих в сфере международной статистики, тем более в период пандемии COVID-19. Целью данного исследования является анализ исполнения бюджета Москвы за 2020-2021 годы. Для достижения цели исследования и решения поставленных задач использовались законодательные, нормативные документы, а также статистические данные Росстата. Из анализа показателей 2020-го, 2021-го годов, а также сводных данных за последние 10 лет видно, что с каждым годом обнаруживается тенденция к росту как доходов бюджета, так и их расходов. Это связано с безусловным ростом базы налогообложения (т.к. ранее было выяснено, что налоговые доходы – наиболее значимы для субъекта) и необходимостью реновации городского пространства

субъекта. Преимущественно реновация и развитие выражается в строительстве транспортного сообщения, финансировании жилищных программ.

Ключевые слова: бюджет Москвы, исполнение бюджета, бюджет муниципальных образований, Москва, пандемия covid-19.



Introduction

Moscow is one of the largest cities in Europe. The study of its budget, the transformation of budget planning and execution, the characteristics of individual budget sections is an urgent topic for many economists and lawyers working in international statistics, especially during the COVID-19 pandemic.

The study purpose is to analyze the implementation of the Moscow budget for 2020-2021. Based on the study purpose, the following tasks were set:

- give a general description of the municipal entity Moscow;
- analyze Moscow’s budget for 2020;
- analyze Moscow’s budget for 2021;
- trace the dynamics of the development of budget items of the capital of Russia;
- identify trends in the execution of budget items of the metropolis.

Analytical, comparative, and historical research methods were used in the study course. Legislative, regulatory documents, like statistical data of the Rosstat were used to achieve the purpose of the study and to solve the tasks set.

General characteristics

Moscow is the capital of the Russian Federation, a city of federal significance, the administrative centre of the Central Federal District. The city is located in the west of Russia, on the Moscow River in the centre of the East European Plain, in the interfluvium of the Oka and Volga. As a federal subject, Moscow borders on the Moscow and Kaluga regions. Moscow is the largest city in Russia by population and its subject. As of 2021, 12,655,050 people live in the capital, which is one of the most populated cities in Europe. Moscow ranks 22nd among the world's cities in terms of population, the largest Russian-speaking city. The centre of the Moscow city agglomeration.

According to paragraph 1 of Article 26.13 of Federal Law No. 184-FZ dated 06.10.1999 “On the General Principles of the Organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of the Russian Federation” and Article 14 of the BC of the Russian Federation, each subject of the Russian Federation has its budget. Moscow was no exception. The Moscow budget, following Article 3 of the Law of Moscow dated 09/10/2008 No. 39 “On the budgetary structure and budgetary process in the City of Moscow”, along with the budgets of the Moscow City Compulsory Health Insurance Fund and municipalities form the Moscow budget system. The city budget and the budget of the Moscow City Compulsory Health Insurance Fund are developed and approved in the form of laws of Moscow. The city budget and the set of budgets of municipalities, excluding inter-budget transfers between these

budgets, constitute the consolidated budget of the city of Moscow. Budgets of municipalities are developed and approved in the form of municipal legal acts of representative bodies of local self-government.

Having designated the Moscow budget system, it is necessary to consider the participants in the budget process of this subject. According to Article 21 of the Law of Moscow dated 09/10/2008 No. 39 *On the Budget Structure and Budget Process in the City of Moscow*, these include:

1. The Mayor of Moscow;
2. Moscow City Duma;
3. The Government of Moscow;
4. local self-government bodies;
5. financial authority of the city of Moscow;
6. territorial body of the Federal Treasury;
7. Divisions of the Central Bank of the Russian Federation;
8. The management body of the Moscow City Compulsory Medical Insurance Fund;
9. The body of internal state financial control of the city of Moscow, the Control and Accounting Chamber of Moscow;
10. Chief administrators (administrators) of the city budget revenues;
11. Chief administrators (administrators) of sources of financing of the city budget deficit;
12. Chief managers (managers) of budgetary funds;
13. Recipients of budget funds.

The legal regulation of the powers of participants in the budget process in the city of Moscow is realized following the procedure stipulated in Article 22 of the Moscow Law No. 39 of 10.09.2008 “On the Budget Structure and Budget Process in the City of Moscow”, where it is established:

- The powers of the state authorities of the city of Moscow in the field of organization of the budget process are regulated by the Budget Code of the Russian Federation and the normative legal acts of the Russian Federation adopted following it, this Law and the legal acts of the City of Moscow adopted following it;
- The powers of municipal legal acts in the field of organization of the budget process are regulated by the Budget Code of the Russian Federation, the normative legal acts of the Russian Federation adopted following it, the legal acts of the city of Moscow and municipal legal acts.

Having analyzed articles 23-28 of Law No. 39 of Moscow dated October 9, 2008, it can conclude that the largest functions and powers in the budget system are possessed by the Financial Authority of the city of Moscow – the Department of Finance of the City of Moscow, which:

- organizes the development of drafts of the city budget and the consolidated budget of the city of Moscow;
- provides methodological guidance in the field of preparation and execution of the city budget and municipal budgets, organization of inter-budgetary relations with municipalities;

- draws up and submits to the Government of Moscow a draft law of the city of Moscow on the city budget, amendments to the city budget, and city budget execution;
- develops and submits to the Government of Moscow a draft budget forecast (draft budget forecast changes);
- forms and maintains a register of expenditure obligations of the city of Moscow;
- forms and maintains a register of sources of the city budget income, as well as a set of registers of sources of municipal budgets income, and a register of sources of income of the budget of the Moscow City Compulsory Health Insurance Fund for submission to the Ministry of Finance of the Russian Federation following the procedure established by the Ministry of Finance of the Russian Federation;
- receives from the chief administrators (administrators) of the city budget revenues, chief administrators (administrators) of the sources of financing of the city budget deficit, chief administrators (administrators) and recipients of the city budget funds, local self-government bodies and the management body of the Moscow City Compulsory Health Insurance Fund materials necessary for drafting laws of the city of Moscow on the city budget and its execution, the forecast of the consolidated budget of the city of Moscow and the report on its execution, as the preparation and the cash plan execution;
- forms methodological guidelines for planning budget allocations for the fulfilment of expenditure obligations of the city of Moscow carried out at the expense of the city budget, and maintaining registers of expenditure obligations by the general managers of the city budget funds;
- organizes the execution of the city budget;
- draws up a report on the execution of the Moscow city budget and the execution of the consolidated city budget and the Moscow City Compulsory Health Insurance Fund budget;
- approves the lists of codes of subspecies by types of city budget revenues, the chief administrators of which are the state authorities of the city of Moscow, as well as the list and codes of target expenditure items of the city budget and the budget of the Moscow City Compulsory Health Insurance Fund;
- maintains the State Debt Book of the city of Moscow;
- manages and establishes the procedure for managing funds (fund balances) on a single city budget account;
- carries out the placement of the city budget funds in bank accounts following the established procedure;
- provides cash services for the execution of the city budget and municipal budgets based on an agreement on the transfer of these powers concluded by the Government of Moscow with the Federal Treasury, as well as accounting for cash execution of the city budget and municipal budgets;
- ensures cash payments from a single account for the execution of the city budget on behalf and behalf of the administrators of the sources of financing of the city budget deficit and recipients of the city budget funds;

- authorizes payment of monetary obligations of recipients of city budget funds and administrators of sources of financing of the city budget deficit;
- keeps records of budget obligations accepted by recipients of the city's budget funds and their payment.

Analysis of the execution of the Moscow budget for 2020

Budget execution based on the Law of the City of Moscow dated November 27, 2019, No. 33 *On the Budget of the City of Moscow for 2020 and the planning period of 2021 and 2022*, which established, was realized.

Characteristics of the budget of the city of Moscow for 2020:

- 1) 2,798,726,496.9 thousand rubles were the total amount of city budget revenues;
- 2) 3,150,011,069.6 thousand rubles were the total amount of expenditures of the city budget;
- 3) 351,284,572.7 thousand rubles were the city budget deficit (*On the Budget of the City of Moscow for 2020 and the Planning Period of 2021 and 2022, Art. 1*).

Characteristics of the budget of the city of Moscow for the planning period of 2021 and 2022:

- 1) the total amount of 2021 city budget revenues of 3,064,151,956.4 thousand rubles and 2022 one of 3,356,190,864.1 thousand rubles;
- 2) total expenditures of the 2021 city budget of 3278306639.5 thousand rubles, including conditionally approved expenditures of the Moscow budget of 81,956,766.8 thousand rubles, and 2022 of 3,379,027,719.8 thousand rubles, including conditionally approved expenditures of the city budget of 168,949,537.5 thousand rubles;
- 3) the 2021 city budget deficit of 214154683.1 thousand rubles and 2022 of 22,836,855.7 thousand rubles.

In fact, the budget execution looked as follows (*Law of the City of Moscow No. 33, art. 1, par. 1*):

- revenues were executed by 99.5%, i.e., 2,869 billion rubles (the plan was 2,882.5 billion rubles);
- expenses were executed by 92.7%, i.e., 3,006.4 billion rubles (the plan was 3,242.7 billion rubles).

Revenue execution looked as follows:

Plan: a total of 2,798.7 billion rubles were to be raised as revenues to the budget of Moscow (*Law of the City of Moscow No. 33, art. 2*), of which:

- 1,145.1 billion rubles (40.9% of all income) were for personal income tax,
- 991.2 billion rubles (35.4% of all income) were for corporate income tax,
- 259.5 billion rubles (9.3% of all income) were for other tax income,
- 257.6 billion rubles (9.2% of all income) were for non-tax income,
- 145.2 billion rubles (5.2% of all income) were for corporate property tax.

Fact:

- 2,869.0 billion rubles (instead of 2,882.5 billion rubles), i.e., implementation of 99.5%, were total revenues;

- 1,155.2 billion rubles were attracted (instead of 1,145.1 billion rubles), i.e., the implementation of 100.9%, were due to the personal income tax;
- 793.1 billion rubles (instead of 991.2 billion rubles), i.e., the implementation of 80.0%, were collection of corporate income tax;
- 377.8 billion rubles (instead of 404.7 billion rubles), i.e., the implementation of 93.3%, were other tax revenues;
- 254.2 billion rubles (instead of 257.6 billion rubles), i.e., the implementation of 98.7%, were non-tax revenues;
- 288.7 billion rubles (instead of 83.9 billion rubles), i.e., the implementation of 344.3%, were gratuitous receipts (*Law of the City of Moscow No. 38, art., 1, par. 1*).

The execution of the expenditure budget was formed as follows. Plan: a total of 3,242.7 billion rubles should be allocated for spending from the Moscow budget funds, of which:

- 698.7 billion rubles (22.7% of all expenses) were for the development of the transport system;
- 615.7 billion rubles (17.2% of all expenses) were for social support of city residents;
- 364.8 billion rubles (13.2% of all expenses) were for the development of city education (Metropolitan Education);
- 598.6 billion rubles (12.7% of all expenses) were for the development of city healthcare (Metropolitan Healthcare);
- 130.4 billion rubles (3.8% of all expenses) were for the development of the digital environment and innovation;
- 577.7 billion rubles (19.7% of all expenses) were for other programs;
- 256.8 billion rubles (7.6% of all expenses) were for non-program expenses (*Law of the City of Moscow No. 33, art. 3*).

Fact:

- 3006.4 billion rubles (instead of 3242.7 billion rubles), i.e., the implementation of 92.7%, were all expenses;
- 691.9 billion rubles (instead of 698.7 billion rubles), i.e., implementation of 99.0%, were the development of the transport system;
- 590.9 billion rubles (instead of 615.7 billion rubles), i.e., implementation of 96.0%, were social support of city residents;
- 570.3 billion rubles (instead of 598.6 billion rubles), i.e., implementation of 95.3%, were the development of city healthcare (Metropolitan healthcare);
- 353.4 billion rubles (instead of 364.8 billion rubles), i.e., implementation of 96.9%, were the development of city education (Metropolitan Education);
- 120.2 billion rubles (instead of 130.4 billion rubles), i.e., 92.2% implementation, were spent development of the digital environment and innovation;
- 519.4 billion rubles (instead of 577.7 billion rubles), i.e., implementation of 89.9%, were other programmes;
- 160.3 billion RUB (instead of 256,8 billion rubles), i.e., implementation of 62.4%, were non-programme activities (*Law of the City of Moscow No. 38, art. 1, par. 2-5*).

Based on the analysis of the ratio of income and expenditure, budget execution was possible to conclude that the expenditure excess over income (deficit) for the sum of 137,446,311.4 thousand (*Law of the City of Moscow No. 38, art. 1, par. 1*). And this is a logical question about the financing of the budget deficit.

Financing of the 2020 city budget deficit looked like this:

- The deficit amounted to 351.3 billion rubles;
- Funds raised from the sale of shares of 0.04 billion rubles;
- The amount of repayment of budget loans to 2.8 billion rubles;
- Borrowings of 40.0 billion rubles;
- Use/accumulation balances were 308,4 billion rubles (*Law of the City of Moscow No. 38, art. 1, par. 6*).

Based on the above, we can conclude about the general form of the Moscow budget as of the end of 2020: the city budget was executed on revenues of 2,868,980,138.7 thousand rubles, on expenditures of 3,006,426,450.1 thousand rubles with an excess of expenses over income (deficit) of 137,446,311.4 thousand rubles.

The general sources of income were:

- Basic tax revenues:
 - 991.2 billion rubles of tax on income of physical persons;
 - 793.1 billion rubles of tax on profit of organizations;
 - 204.7 billion rubles property taxes;
 - 126.8 billion rubles taxes on gross income;
- Non-tax revenues:
 - 150.9 billion rubles of revenue from the use of property in state or municipal ownership;
 - 34.7 billion rubles of fines, sanctions, damages;
 - 288.7 billion rubles of royalty revenues depth.

The main directions of consumption were:

- 691.9 billion rubles of development of the transport system;
- 570.3 billion rubles of development of city healthcare (Capital healthcare);
- 353.4 billion rubles of development of city education (Capital Education);
- 590.9 billion rubles of social support for city residents;
- 104.6 billion rubles of housing.

Thus, the general source of Moscow's income for 2020 was the tax on the income of individuals operating in Moscow. The main direction of expenditure was the construction and development of transport systems.

Analysis of Moscow budget execution for 2021

Budget execution is carried out based on Law No. 28 *On the Budget of the City of Moscow for 2021 and the Planning Period of 2022 and 2023* dated December 10, 2020, which establishes:

- Characteristics of the 2021 city budget:
 - 2,834,024,862.5 thousand rubles were total revenue of the city budget;

- 3,344,039,288.8 thousand rubles were the total amount of expenditures of the city budget;
- 510,014,426.3 thousand rubles were the city budget deficit.
- Characteristics of the city budget for the planning period of 2022 and 2023:
 - 2,895,003,589.6 thousand rubles were the total amount of 2022 city budget revenues;
 - 3,161,296,555.3 thousand rubles were the total amount of 2023 city budget revenues;
 - 3,235,590,549.6 thousand rubles, including 80888816.5 thousand rubles conditionally approved expenditures of the city budget, were total expenditures of the 2022 city budget;
 - 3,344,665,923.8 thousand rubles, including 167,231,402.0 thousand rubles conditionally approved expenditures of the city budget, were total expenditures of the 2023 city budget;
 - 340,586,960.0 thousand rubles were the 2022 city budget deficit;
 - 183,369,368.5 thousand rubles were the 2023 city budget deficit.

In fact, the budget execution was implemented as follows:

- income executed by 113.9%, i.e., 3,335.5 billion rubles (instead of 2927.4 billion rubles);
- 3,445.7 billion rubles (instead of 3,553.2 billion rubles), i.e., implementation of 97%, were sent on expenditures (*Law of the City of Moscow No. 33, art. 1*).

The execution of the budget revenues was implemented as follows. Plan: a total of 2,927.4 billion rubles were to be attracted as income to the budget of Moscow, of which:

- 1,213.6 billion rubles were for personal income tax (45.9% of all income);
- 803.5 billion rubles were for corporate income tax (30.4% of all income);
- 267.3 billion rubles were for other tax income (10.1% of all income);
- 213.1 billion rubles were for non-tax income (8.1% of all income);
- 145.2 billion rubles were for corporate property tax (5.5% of all income);
- 0.04 billion rubles were for gratuitous receipts (0.001% of all revenues) (*Law of the City of Moscow No. 33, art. 2*).

Fact:

- 3,335.5 billion rubles (instead of 2,927.4 billion rubles), i.e., the implementation of 113.9%, were revenues;
- 1,368.4 billion rubles (instead of 1,281.1 billion rubles), i.e., the implementation of 106.8%, were due to the collection of personal income tax;
- 1,083.3 billion rubles (instead of 896.1 billion rubles), i.e., the implementation of 120.9%, were corporate income tax brought to the budget;
- 457.1 billion rubles to the budget (instead of 422.3 billion rubles), i.e., the implementation of 108.2%, were other tax revenues;
- 289.1 billion rubles (instead of 213.1 billion rubles), i.e., the implementation of 135.6%, were due to non-tax revenues;
- 137.7 billion rubles (instead of 114.7 billion rubles), i.e., the implementation of 120.1%, were gratuitous receipts (*Law of the City of Moscow No. 33*).

The execution of expenses was as follows. Plan: in total, 3,552.2 billion rubles should be allocated for spending from Moscow's budget funds, of which:

- 787.6 billion rubles (22.7%) were for the development of the transport system;
- 608.2 billion rubles (17.1%) were for social support for the city residents;
- 601.3 billion rubles (12.7%) were for the development of city public health (Capital Health);
- 412.9 billion (13.2%) were for the development of education of the city of Moscow (Capital Formation);
- 320.3 billion rubles (3.8%) were for on housing;
- 655.3 billion rubles (19.7%) were for other programs;
- 169.5 billion rubles (7.6%) were for non-program expenses (*Law of the City of Moscow No. 33*).

Fact:

- 3,445.7 billion rubles (instead of 3,553.2 billion rubles), i.e., the implementation of 97%, were the sum of all expenses amounted;
- 775.5 billion rubles (instead of 785.7 billion rubles), i.e., the implementation of 98.7%, were allocated for the development of the transport system;
- 580.9 billion rubles (instead of 608.2 billion rubles), i.e., the implementation of 95.5%, were allocated for social support of residents of the city of Moscow;
- 590.9 billion rubles (instead of 601.3 billion rubles), i.e., the implementation of 98.3%, were sent on the development of city healthcare (Metropolitan Healthcare);
- 410.1 billion rubles (instead of 412.9 billion rubles), i.e., the implementation of 99.3%, were sent on the development of education in the city of Moscow (Metropolitan Education);
- 311.7 billion rubles (instead of 320.3 billion rubles), i.e., the implementation of 97.3% were sent on housing;
- 629 billion rubles (instead of 655.3 billion rubles), i.e., the implementation of 96%, were sent on other programs;
- 147.6 billion rubles (instead of 169.5 billion rubles), i.e., the implementation of 87.1%, were sent on non-program activities (*Law of the City of Moscow No. 33*).

Based on the analysis of the ratio of income and expenditure, budget execution was possible to conclude that the excess of expenditure over income (deficit) was 510 billion. And from this, the question of financing the budget deficit is logical.

Financing of the 2021 city budget deficit looked as follows:

- The deficit amounted to 217.7 billion rubles;
- Funds raised from the sale of shares – 0.02 billion rubles;
- The amount of repayment of budget loans – 0.1 billion rubles;
- Borrowed funds amounted to 103.7 billion rubles;
- Use/accumulation of budget balances – 113.9 billion rubles (*Law of the City of Moscow No. 33*).

Based on the above, we can conclude about the general form of the Moscow's budget as of the end of 2021: the 2021 city budget was executed on revenues in the amount of 3,335,520,631.5 thousand rubles, on expenditures in the amount of 3,445,684,490.1 thousand

rubles with excess expenses over income (deficit) in the amount of 217,706,600.1 thousand rubles.

The general sources of income were:

- Basic tax revenues:
 - 1,368.4 billion rubles (991.2 billion rubles in 2020) of tax on income of physical persons;
 - 1,083.3 billion rubles (793.1 billion rubles in 2020) of tax on profit of organizations;
 - 227.2 billion rubles (204.7 billion rubles in 2020) of property taxes;
 - 176.4 billion rubles (126.8 billion rubles in 2020) of taxes on gross income.
- Non-tax revenues:
 - 159.0 billion rubles (150.9 billion rubles in 2020) of revenue from the use of property in state or municipal ownership;
 - the income derived from the lease or other transfer charges in gratuitous use of state and municipal property (except property budget and Autonomous institutions, as well as the property of the state and municipal unitary enterprises, including state-owned – to 98.6 billion rubles;
 - 49.5 billion rubles of income from placing funds of the budgets;
 - 137.7 billion rubles (288.7 billion rubles in 2020) of donations (*Law of the City of Moscow No. 33*).

The main directions of consumption were:

- 775.5 billion rubles (691.9 billion rubles in 2020) were sent on the development of the transport system;
- 590 billion rubles (570.3 billion rubles in 2020) were sent on the development of city public health (Capital Health);
- 410.1 billion rubles (353.4 billion rubles in 2020) were sent on the development of city education (Capital Formation);
- 580.9 billion rubles (590.9 billion rubles in 2020) were sent on social support for the city residents;
- 311.7 billion rubles (104.6 billion rubles in 2020) were sent on housing (Regional statistics, 2022).

Thus, the general source of Moscow's income for 2021 is the tax on the income of individuals operating in Moscow, i.e., there are no cardinal changes to 2020, and the main direction of expenditure is the construction and development of transport systems, but there has been a significant change in terms of expenses – the reorientation of more than 100 billion in housing provision.

Conclusion

In conclusion, it is necessary to present an analysis of the overall dynamics of the ratio of income and expenses in recent years. The data looks like this (*Fig. 1*).

From the analysis of the indicators of 2020 and 2021, as well as summary data for the last 10 years, it can be seen there is a tendency to increase both budget revenues and their

expenditures every year. It is due to the unconditional growth of the tax base because it was previously found out that tax revenues are the most significant for the subject and the need to renovate the subject's urban space. Mainly renovation and development are expressed in the transport links' construction financing of housing programmes.

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Appendix

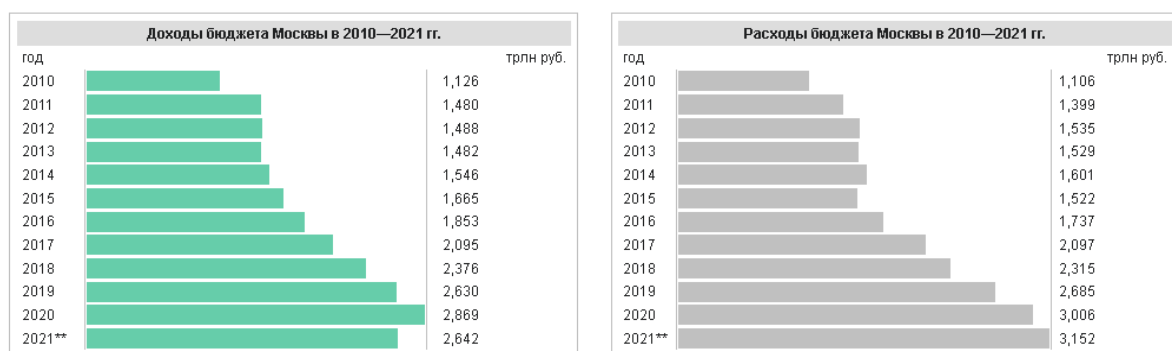


Figure 1. The overall dynamics of the ratio of income and expenses

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Budget analysis of the City of Nizhny Novgorod

Abstract: The relevance of the work is very significant. It is because the activities, which realised to increase the level of budget information openness and the local governments' activities transparency involved in the preparation, execution of the city budget and budget reporting, allows us to get feedback from citizens who are interested in the development of municipal finance and create conditions for public control of municipal financial management. The study purpose is to consider the execution of the federation subject's budget on the example of the City of Nizhny Novgorod. The methodological basis of the study is statistical reports on the Nizhny Novgorod budget execution. The logical, dialectical, comparative legal method was used in the study. Other general logical methods were also used, such as analysis and synthesis, abstraction and generalization, deduction and induction, analogy. The practical significance of the work lies in the fact that the results obtained during the study can be used to solve various issues of the legitimate use of financial legislation.

Keywords: Nizhny Novgorod, budget execution, municipal budget, budget parameters, city budget expenditure structure.



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Анализ бюджета Нижнего Новгорода

Аннотация: Актуальность работы весьма значительна и обусловлена тем, что мероприятия, проводимые по повышению уровня информационной открытости бюджета и прозрачности деятельности органов местного самоуправления, принимающих участие в подготовке, исполнении бюджета города и составлении бюджетной отчетности, позволяют получить обратную связь от граждан, которым интересны вопросы развития муниципальных финансов, и создать, таким образом, условия для общественного контроля в сфере муниципального управления финансами. Целью исследования является рассмотрение исполнения бюджета субъекта федерации на примере города Нижний Новгород. Методологическую основу исследования составляют статистические отчеты об исполнении бюджета города Нижний Новгород. При проведении исследования применялись логический, диалектический, сравнительно-правовой метод. Использовались также и другие общелогические методы, такие как: анализ и синтез, абстрагирование и обобщение, дедукция и индукция, аналогия. Практическая значимость работы заключается в том, что полученные в ходе исследования результаты могут быть использованы при решении различных вопросов правомерного использования финансового законодательства.

Ключевые слова: Нижний Новгород, исполнение бюджета, бюджет муниципальных образований, параметры бюджета, структура расходов городского бюджета.



Introduction

One of the most important directions of the budgetary and tax policy of the Nizhny Novgorod City District municipality is to ensure the openness and transparency of public finances.

The topic relevance is very significant because the activities carried out to increase the level of information openness of the budget and transparency of the local governments' activities involved in the preparation, execution of the city budget and budget reporting, allows us to get feedback from citizens who are interested in the municipal finance development and create conditions for public control of municipal financial management.

The study object of the study is the city of Nizhny Novgorod.

The study subject is the Russian Federation subject's budget.

The study purpose is to consider the execution of the Russian Federation subject's budget on the example of the City of Nizhny Novgorod.

Based on the purpose of the study, the following tasks were formulated:

- make an overview of the priority areas of budget and tax policy of Nizhny Novgorod;
- analyse the main parameters of the budget of the city of Nizhny Novgorod;
- assess the structure of the budget expenditures of the city of Nizhny Novgorod.

The methodological basis of the study is statistical reports on the execution of the budget of the city of Nizhny Novgorod. The logical, dialectical, comparative legal method was used in the study. Other general logical methods were also used such as analysis and synthesis, abstraction and generalization, deduction and induction, analogy.

The practical significance of the work lies in the fact that the results obtained during the study can be used to solve various issues of the legitimate use of financial legislation.

Main tasks and priority directions of budget and tax policy

The *Tax Policy Budget of the Nizhny Novgorod City District* is aimed at improving the efficiency of management in municipal property, sustainable economic growth, improving the social sphere, increasing tax potential and achieving other priority goals of social and economic development of the city district, taking into account the current economic situation, through effective, responsible and transparent management of public finances (*Vasilishina, 2020*). Thus, according to the Information Collection “*Budget for Citizens*”, referred to as *On the Nizhny Novgorod Budget for 2021 and the Planning Period 2022-2023*, posted on the official website of the City of Nizhny Novgorod, priority areas of budget and tax policy of this municipality include:

1. Preservation and development of tax potential on the territory of the city.
2. Mobilization of city budget revenues through effective administration of local taxes and increasing the collection of taxes received by the city budget.
3. Implementation of tax policy taking into account the optimization of tax benefits for local

- taxes based on the assessment of tax expenditures;
4. Ensuring the stability of the taxation system for legal entities and individuals, improving regulatory legal acts on taxes adopted by local self-government bodies, taking into account changes in federal legislation.
 5. Carrying out measures to improve the efficiency of municipal property management.
 6. Ensuring the balance and long-term sustainability of the city budget through the formation of a realistic revenue forecast based on the forecast of social and economic development of the city for 2021 and the planning period of 2022 and 2023, a balanced approach to the adoption of new spending commitments, responsible debt policy.
 7. Improving the efficiency and optimization of budget expenditures through an integrated approach to the development of strategic decisions, prioritization of expenditures, increasing the share of program expenditures in the total volume of city budget expenditures, improving the quality of program budgeting based on planned and achieved results, strengthening the control of financial discipline of functional (branch) divisions based on monitoring the implementation of municipal programs;
 8. Improving the quality of municipal services provided.
 9. Improving the efficiency of municipal management by improving the tools of program and target planning, developing project management mechanisms, improving the quality of financial management in city institutions, implementing the principles of openness and transparency of municipal finance management, disclosure of financial and other information about the budget and the budget process, the introduction of the principles of initiative budgeting.
 10. Development and improvement of financial control and control systems in procurement (*Law of the City Duma of the city of Nizhny Novgorod No. 88*).

The main parameters of the budget of the City of Nizhny Novgorod

The budget of the Nizhny Novgorod municipal district for 2021 was initially approved of 36.5 million rubles with a budget deficit of 0.3 million rubles (*Law of the Nizhny Novgorod Region*). At the same time, the expenses of the city were originally planned to increase by 15% and amount to 36.8 million rubles. In the course of budget execution, during the reporting year, the planned budget indicators amounted to (-299.1 million rubles), i.e., they did not go beyond the planned budget. The total revenues received by the budget of the Nizhny Novgorod Municipal District amounted to 36,554.9 million rubles from the initial plan (36.5 million rubles), i.e., 100.13%. The total expenses of the Nizhny Novgorod Municipal District amounted to 36,835.9 million rubles from the initial plan (36,8 million rubles), i.e., 100.03% (*Fig. 1, 2*).

In 2021, the volume of Nizhny Novgorod's income amounted to 15,909.7 million rubles, and the gratuitous receipts were 20645.2 million rubles.

For 2021, the volume of Nizhny Novgorod's expenses amounted to 16,208.7 million rubles. The share of program expenditures in the structure of budget expenditures is 93.9%. The general expenses will be directed to the implementation of municipal programs:

- 1) Development of education – 19,045.5 million rubles;
- 2) Improvement of the city – 3,493.8 million rubles;
- 3) Development of road infrastructure – 3,067.1 million rubles;

- 4) Development of culture – 2,405.7 million rubles;
- 5) Municipal finance management – 1,436.8 million rubles;
- 6) Development of physical culture and sports – 1,084.6 million rubles (*Law of the City Duma of the city of Nizhny Novgorod No. 88*).

Thus, the leading share of expenditures in the budget of Nizhny Novgorod in 2021 was the education development and city improvement, as in 2019-2020.

The structure of the budget expenditures of the City of Nizhny Novgorod

As in the previous period, the financing of social expenditures (education, social policy, culture and sports) was a priority, for which from 2019 to 2020, 50% to 55.5% of total expenditures were allocated, in 2021 the share of social expenditures was 55.5% or 20,453.9 million rubles. (*fig. 3, 4*)

Expenses under the Education Section

In the Education sector, the expenditures of the city district budget for 2021 were executed in the total amount of 19,045,538,409.85 million rubles, i.e., 51.6% of the total expenses of the municipality (*Open Budget of the City of Nizhny Novgorod*).

The target areas of the financing were:

1. Satisfaction of the population with the quality of preschool education from the total number of parents surveyed, whose children attend preschool education organizations in the corresponding year – 97%.
2. Satisfaction of consumers (parents, children) with the quality of general education services – 97%.
3. The share of municipal educational organizations that meet modern educational requirements in the total number of municipal educational organizations – 100%.
4. Availability of preschool education for children aged 1 to 3 years – 100%.
5. The share of municipal preschool educational organizations providing additional services – 70%.
6. The percentage of coverage of children aged 3-7 years who want to receive preschool education services in basic general education programs – 100%.
7. The ratio of the average monthly salary of teachers of municipal educational organizations of preschool education to the average salary in the general education of the region – 100%.
8. The share of citizens (parents) who have received social support in the form of compensation for part of the parental fee for the supervision and care of children who have applied and are eligible to receive this support – 96%.
9. The share of municipal preschool educational organizations whose buildings are in disrepair or require major repairs in the total number of municipal preschool educational organizations – 0%.
10. The share of preschool educational organizations providing unhindered access to disabled people and other low-mobility groups of citizens – 95%.
11. The share of preschool educational organizations providing the creation of material, technical and methodological conditions for the implementation of inclusive education – 50%.

12. The ratio of the average monthly salary of teachers of municipal educational organizations to the average salary in the region – 100%.
13. The share of coverage of hot meals for students of educational institutions – 92%.
14. The share of municipal educational organizations whose buildings are in disrepair or require major repairs in the total number of municipal educational organizations – 0%.
15. The share of students in municipal educational organizations engaged in the second shift in the total number of students in municipal educational organizations – 7%.
16. The share of general education organizations providing unhindered access to disabled people and other low-mobility groups of citizens in the total number of general education organizations – 33.7%.
17. The share of children aged 5 to 18 years receiving additional education services in the total number of children aged 5 to 18 years – 84.5%.
18. The coverage of students in educational organizations of the city with organized forms of recreation, recreation and employment of children for one calendar year – 100%.
19. The share of teachers who have received the first and highest qualification categories following the established procedure and confirmation of compliance with their position in the total number of teachers of municipal organizations of general education – 34%.
20. Provision of accounting, tax and statistical reporting – 501 institutions.
21. The proportion of children orphans and children left without parental care, entrusted to the care of families of citizens in the city, from among children orphans and children left without parental care identified during the reporting period – 75%.
22. The proportion of children orphans and children left without parental care, returned from foster families from the total number of children orphans and children left without parental care, placed with families of citizens for the period – 0.5%.

Expenditures under the preschool education development subprogram amounted to 6,962,117,288.62 million rubles. Expenses under the program Development of General Education were 7,735,548,443.15 rubles. Interestingly, the budget did not contain expenses for providing an accessible environment for children with disabilities in general education organizations.

Expenses in Urban Improvement

In the field of urban improvement, the total amount of expenditures amounted to 3,493,837,097.3 million rubles or 9.4% (*Open Budget of the City of Nizhny Novgorod*).

The target areas of the financing were:

1. The share of the city's population satisfied with the quality of urban improvement (in the total number of citizens surveyed) – 60%.
2. The share of landscaping objects that are in a normative state according to the total number of landscaping objects – 41%.
3. The share of municipal cemeteries that are in a normative state according to the total number of municipal cemeteries – 65%.
4. Coverage of rain sewer networks – 85%.
5. The share of repaired storm sewer networks of the city according to the total number of storm sewer networks requiring repair – 3.6%.

6. The share of engineering protection structures of the city that meet regulatory requirements – 95%.

7. The share of repaired objects of engineering protection of the city according to the total number of objects of engineering protection of the city requiring repair – 1%.

8. The share of repaired other improvement objects to the total number of other improvement objects – 78%.

Expenses under the greening program of the city amounted to 149,169,700.00 million rubles. The organization and maintenance of burial sites in the city of Nizhny Novgorod contained expenses in 30,072,000,00 rubles. Expenses for other improvement facilities (including storm sewer networks and engineering protection structures) of the city of Nizhny Novgorod amounted to 9,657,800.00.

Expenses for the Nizhny Novgorod 800th Anniversary Preparation project

The total financing for preparations for the Nizhny Novgorod 800th Anniversary celebration in 2019-2021 amounts to 23.8 billion rubles. It became known at a meeting of the regional government, which was held today for the first time since December 2019. 12.8 billion rubles were raised from the federal budget, 7.9 billion rubles were directed from the regional budget, 181.8 million rubles were allocated by the budget of Nizhny Novgorod of the total amount of funds. Another 3 billion rubles came from extra-budgetary sources (*Open Budget of the City of Nizhny Novgorod*).

Discussion

As part of the study of the budget execution of regions and individual municipalities, it seems necessary to pay special attention to the trends in changes in individual items of expenditure and their correlation in the legal field of the Russian Federation. It is also necessary to have a clear understanding of the permissible limits of execution and non-execution of the budget of a constituent entity of the Russian Federation to create an effective delta of variability that will contribute to a more flexible fiscal policy.

Conclusion

Summing up the work done, we can draw several definite conclusions.

According to the *Budget Code of the Russian Federation*, a budget is a form of formation and expenditure of a fund of funds intended for financial support of the tasks and functions of the state and local self-government (*Budget Code of the Russian Federation*). The budget process of the City of Nizhny Novgorod is the activity of state authorities and other participants in the budget process regulated by the legislation of the Russian Federation and the Nizhny Novgorod region for the preparation and review of draft budgets of the city of Nizhny Novgorod, draft budgets of the Territorial Compulsory Health Insurance Fund, approval and execution of budgets and budgets of the territorial state extra-budgetary fund, control over their execution, implementation of budget accounting, compilation, external audit, review and approval of budget reporting (*Unified Accounting Policy for the Accounting Centralization, Applied in the Accounting (Budgeting) of Branch (Functional), Territorial Bodies of the Nizhny Novgorod Administration*).

By the end of 2021, the largest share of the industry's expenditures falls on the implementation of municipal programs:

- 1) The Nizhny Novgorod 800th Anniversary Preparation,
- 2) Development of Education in the City of Nizhny Novgorod,
- 3) Improvement of the City of Nizhny Novgorod.

The expenses of the Department of Culture in the preparation of the City of Nizhny Novgorod for the 800th anniversary amounted to 23.8 billion rubles, attracted by banknotes from the federal budget.

Expenses under the program *Development of Education in the City of Nizhny Novgorod* amounted to 19,045,538,409.85 million rubles, raised at the expense of the city's funds.

Expenses under the program *Improvement of the City of Nizhny Novgorod* amounted to 3,493,837,097.3, raised at the expense of own funds and federal budget funds.

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Appendix

Parameters	2021	2022	2023
Total income	36 554,9	34 633,3	34 405,0
own income	19 909,7	16 625,2	17 718,4
gratuitous receipts	20 645,2	18 008,1	16 686,6
Total expenses	36 853,9	34 633,3	34 342,0
own expenses	16 208,7	16 625,2	17 655,4
Deficit / Surplus	-299,0	0,0	63,0

Figure 1. The main parameters of the Nizhny Novgorod budget for 2021-2023, million rubles

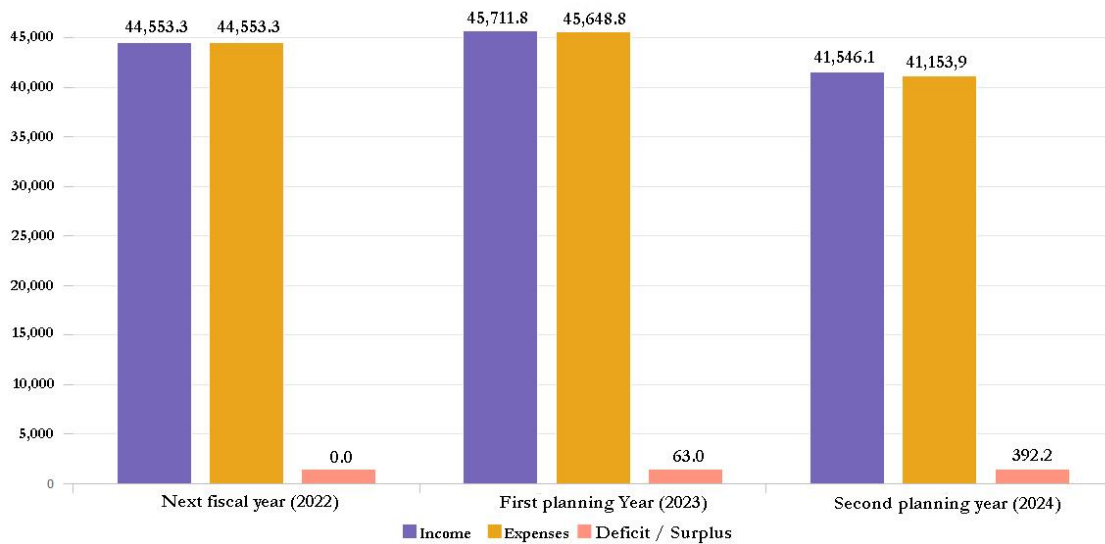


Figure 2. The main parameters of the budget of the City of Nizhny Novgorod



Figure 3. The structure of expenditures of the Nizhny Novgorod budget for 2021

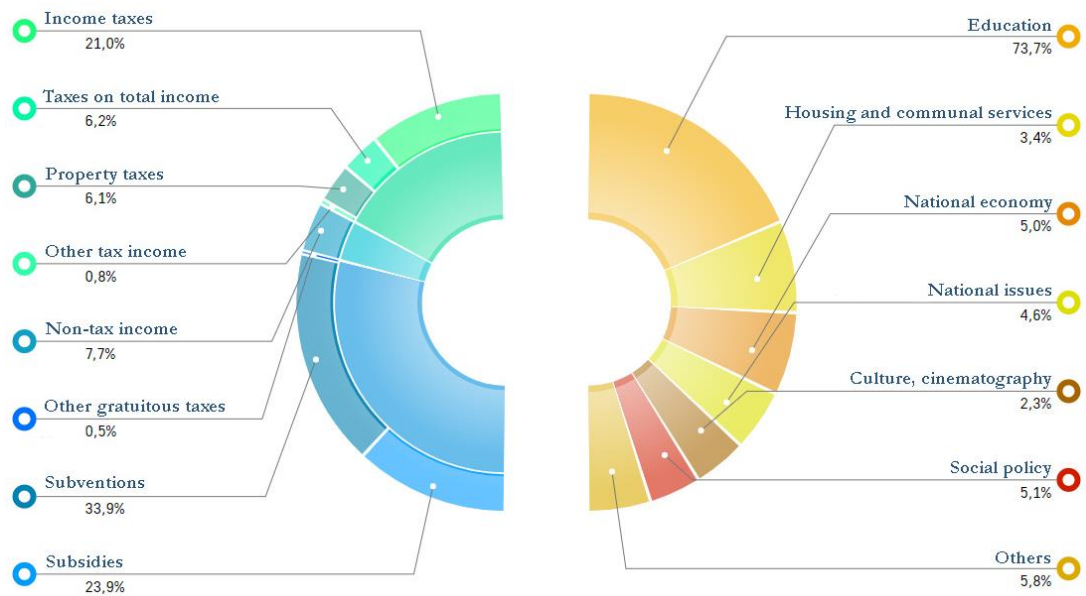


Figure 4. The structure of expenditures of the Nizhny Novgorod budget for 2022



Figure 5. Comparison of budget revenues of million-plus cities for 2020

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Project management for the implementation of lean manufacturing at an industrial enterprise

Abstract: The study subject is the implementation of lean manufacturing using project management technology. The purpose is to substantiate the possibility of using tools and methods of lean production in industrial enterprises. General scientific research methods of external and participant observation, statistical methods, questionnaire survey, elements of process modeling were used. The results showed that the spread of lean production methods in industrial enterprises should be carried out as a project activity, initiating and implementing lean production projects in different structural divisions, on processes of different levels. This requires training in the basics of project management for managers and training in the basics of lean manufacturing for all employees in order to achieve universal inclusion. Shown that even single projects of lean manufacturing bring to the enterprise an increase in efficiency and an increase in labor productivity. The use of certain tools becomes an end in itself, and not a way to solve the identified problems. The participation of people in the implementation of lean manufacturing projects is not always conscious and highly motivated, which hinders the growth of involvement. Insufficient experience in independent implementation of projects in general slows down the implementation of lean manufacturing projects. As a result of the study, the authors show the effectiveness of lean production projects, identify problems specific to industrial enterprises, and identify some areas of activity that contribute to improving operational efficiency.

Keywords: labour productivity, project management, operational efficiency, loss reduction, tools and methods, value, process approach.



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Управление проектом внедрения бережливого производства на промышленном предприятии

Аннотация: Предметом исследования является внедрение бережливого производства с использованием технологии проектного управления. Цель – обоснование возможности использования инструментов и методов бережливого производства на промышленных предприятиях. Используются общенаучные методы исследования: внешнее и включенное наблюдение, статистические методы, анкетный опрос, элементы моделирования процессов. Результаты показали, что распространение методов бережливого производства на промышленных предприятиях необходимо осуществлять как проектную деятельность, инициируя и реализуя проекты бережливого производства в разных структурных

подразделениях, на процессах разного уровня. Для этого требуется обучение основам проектного управления менеджеров и обучение основам бережливого производства всех работников с целью добиться всеобщей включенности. Показано, что даже единичные проекты бережливого производства приносят предприятию повышение эффективности и рост производительности труда. Использование тех или иных инструментов становится самоцелью, а не способом решения выявленных проблем. Участие людей в реализации проектов бережливого производства не всегда осознанно и высоко мотивировано, что мешает росту вовлеченности. Недостаточный опыт самостоятельной реализации проектов в целом тормозит реализацию проектов бережливого производства. В результате проведенного исследования авторами показана результативность проектов бережливого производства, выявлены проблемы, специфичные для промышленных предприятий, и обозначены некоторые направления деятельности, способствующие повышению операционной эффективности.

Ключевые слова: производительность труда, проектное управление, операционная эффективность, сокращение потерь, инструменты и методы, ценность, процессный подход.



Introduction

Crisis phenomena in the economy and, as a result, a slowdown in economic growth require managers to find ways to optimize all business processes. Lean production has long established itself as one of the most effective means of improving the operational efficiency of companies in times of crisis. However, it should be noted that lean production methods are not the root cause of the efficient operation of companies, they are only tools that help companies to be even more efficient. So, if Toyota's personnel were not initially disciplined and highly organized, if they were not initially set up for frugality, cost reduction and increasing the welfare of their companies, no lean production methods would show such impressive results (*Ono, 2005*).

The article considers the possibilities of the enterprise to use the technology of project management in the implementation of lean production. The goal is to substantiate the possibility of using tools and methods of lean production in industrial enterprises. The study identified the difficulties that businesses face when trying to increase, i.e., productivity through lean manufacturing. The possibility of increasing labor productivity was studied on the example of the enterprises of "Kemerovo Gorelektroset" JSC (KGES) and "Kemerovo House-Building Plant" LLC (Kemerovo DSK) using lean production. The object of the research is the implementation of lean production projects at industrial enterprises, the subject is the implementation of lean production using project management technology.

The methodological basis of the research is the applied and fundamental works of foreign and domestic scientists (*Ono, 2005; Womack & Jones, 2014; Davydova, 2012; Shingo, 2006*), specialists in the field of lean production, improvement of business processes and enterprise management. Both general scientific (observation, questionnaire survey, measurement, document analysis, statistical analysis) and special (mapping, timing, process modeling elements) methods are used.

Results

Lean manufacturing is a special way of organizing activities that involves the optimization of all business processes in order to find and eliminate hidden losses and improve production at all its stages. This term is usually understood in two main meanings:

1. A set of practical tools and business technologies to achieve the set goals.
2. A system of provisions close to philosophical, which characterizes a special attitude to the organization of activities at all levels – from management to a simple worker.

The reason for restructuring activities according to the Lean system can be not only the expressed will of top management. The reasons for implementing lean manufacturing can be the following factors:

- deadlines for fulfilling orders are not met;
- the cost of production is prohibitively high;
- extended delivery times;
- there is a large proportion of defects in the products;
- the share of costs in the financial balance is more than acceptable;
- productivity is limited – there is work in progress.

In general, we can say that the introduction of BP will help to solve the accumulated problems systematically, changing the way the organization works and qualitatively changing the situation for the better.

The main idea is to constantly strive to eliminate any kind of loss. It has the advantage that 80% of it consists of organizational measures, and only 20% is investment in technology (*Khanafieva, 2007*). The first introduction of lean manufacturing into industry occurred in the 1950s. at the Toyota Corporation. The creator of this control scheme was T. Ono, who later made a huge contribution to the development of both theory and practice (*Ono, 2005*). No less contribution was made by his colleague S. Shingo, who, among other things, created a method for quick changeover (*Shingo, 2006*). Later, American specialists investigated this system, improved it and called it lean manufacturing (*Liker, 2011*).

D.P. Womack and D.T. Jones define lean manufacturing as a breakthrough approach to management and quality management that ensures long-term competitiveness without significant capital investments (*Womack & Jones, 2014*). It helps to identify value, to best sequence the actions that create it, to do the work without unnecessary interruptions, and to do it more and more efficiently (*Tsarenko & Guselnikova, 2019*). D.P. Hobbs singles out the design and implementation of a production line as the main task of lean manufacturing, which allows manufacturing different types of products in a set time (*Hobbs, 2007*). M. Vader believes that an important part of the concept of lean production is continuous improvement and participation in this process of the entire team of the enterprise (*Vader, 2005*).

For the successful implementation of the lean project, it is necessary to clearly understand how we want to see the end result and how to achieve it, to master all the work tools and implementation methods. The introduction of lean manufacturing in industrial enterprises involves intensifying efforts to use more and more new tools, which is associated with the need to increase the level of competitiveness. In this regard, a clear model for the implementation of lean manufacturing tools in enterprises is needed.

According to the concept of lean manufacturing, all activities of the company can be divided into processes and operations that add value to the consumer, and those that do not bring any value. It is possible to single out direct losses, i.e., works that in themselves do not add value and do not contribute to its addition. Value is created during the performance of production or service processes. Adding value to the end product for the customer is the main objective of lean manufacturing. The essence of lean manufacturing is reflected in its principles (*Levinson & Rerik, 2007; Luyster & Tepping, 2008; Davydova et al., 2019*):

- Determine the value of a particular product. To get a valuable product at the output, the manufacturer must see through the eyes of the consumer what parameters the product must have in order to become a value.
- Define the value stream for this product, i.e., describe the value-creating and non-value-creating activities that go through all the processes from concept development to production launch.
- Ensure the continuous flow of the product value stream.
- Allow the consumer to “pull” the product to meet the customer’s requirements.
- Continuously strive for excellence, focusing on the consumer (client).

The application of lean manufacturing technology involves a certain way of thinking, in which any activity is considered in terms of value for the consumer and the reduction of all types of waste. An analysis of the literature has shown that with the help of lean production, they achieve cost reduction, terms for the development of new products, terms for creating products, production and storage areas, and ensuring the guarantee of delivery of products to the customer (*Sadykova, 2018; Strushchenko & Duganova, 2018; Ivanova, 2010; Galyamina, 2013*). In Russia, interest in the use of lean production has increased after the approval of the passport of the national project “Labor Productivity and Employment Support” (*Labor productivity and employment support, 2018*), which set the task of using lean production tools to increase competitiveness and optimize business processes in order to increase labor productivity, conduct large-scale training, and even develop a federal state educational standard for higher education in the Lean production direction.

In Russian practice, there are many examples of successful implementation of lean production projects in various sectors of economic activity. Large corporations manage to achieve the greatest success (*Emanakov et al., 2015; Golubenko & Svelnikova, 2019; Lyiskova, 2019*). However, with a skillful combination of managerial competence and professionalism of employees, successful practices are also possible in smaller enterprises.

At the same time, in order to disseminate best practices and generalize the experience gained, it is necessary to scientifically understand the possibilities of applying lean production tools, and identifying the specifics for different business entities, and motivating staff, and building training. With this approach, the development of lean manufacturing in the Russian Federation can have a multiplicative effect. The results of the successful implementation of lean manufacturing are an increase in labor productivity, a reduction in the used area, stocks, duration of processes, rejects, etc. (*Indeikina, 2015; Sychanina et al., 2019; Skorobogatova, 2019; Chuprik & Baida, 2020*).

Barriers to achieving the desired results are the following factors (*Naumenko, 2017*):

- staff training and financing of this process is not always realized by management;
- the staff itself is not always willing to learn and apply the elements of lean production;
- the introduction of lean manufacturing turns into a campaign and becomes an end in itself;
- there are not enough specialists in organizations capable of managing change;
- managers strive to get results quickly, without building a long-term strategy, without investing resources in staff training;
- lack of specialists in the field of lean manufacturing;
- inconsistency in the formation of the production system.

There are many algorithms for implementing the lean concept. Researchers in the field of lean manufacturing (T. Ono, D. P. Womack, M. Vader, D. K. Liker, S. Singo, D. P. Hobbs) proposed their step-by-step algorithms for implementing lean manufacturing in an enterprise. To date, the most popular is the algorithm of the American researcher D.P. Wumek, who made a serious contribution to the promotion of the lean concept. This man is the bestselling author of *The Machine That Changed the World*. He proposed the most relevant step-by-step algorithm for implementing lean manufacturing in an enterprise:

Select a leader in the enterprise who is respected among the workers and has a history of implementing successful projects. In other words, a person who will be trusted. This person needs to take responsibility and direct the implementation process.

The entire implementation team should receive basic training in the basics of lean manufacturing and key tools.

Identify or create a crisis. A crisis in an enterprise can serve as a good impetus for the implementation lean. But there are problems in any enterprise, it is not necessary to wait for the company's crisis.

It is better to start implementing lean manufacturing in stages. It is not necessary to globally revise the entire production process. At the initial stage, you can push employees to eliminate losses wherever they notice them. After a successful experience, you can move on to more complex tasks, concentrating on the specific goals of the enterprise (order time, production cost, quality).

Value stream mapping. Try to represent the production process in the form of a flow map, breaking it into separate processes. This will help to detect bottlenecks, problems and losses. It is also necessary to think over a plan for their elimination and present a map of the future flow.

Having made a flow map and understanding the weak points, it is necessary to move on to practice. Information about the progress of the implementation process and its results should not be hidden from employees.

Striving for fast results. Lean manufacturing is a long-term strategy, but in the early stages it is better to focus on immediate results. Therefore, it is recommended to start with simpler tasks.

Launching the kaizen system. The more employees are involved in the common cause of continuous improvement, the faster positive results can be achieved.

We selected two companies for analysis. In one of them (KGES), there are only intentions of the initiative group to use lean production tools to increase labor productivity. In another

(Kemerovo DSK), a number of projects have already been implemented, including under the leadership of representatives of ANO

“Federal Center of Competence in the Field of Labor Productivity” (FCC), established on December 18, 2017 by decision of the Presidium of the Council under the President of the Russian Federation for Strategic Development and Priority Projects. Currently, the FCC is the operator of the national project “Labor Productivity and Employment Support” in terms of targeted support for enterprises.

KGES is one of the largest utilities in the region. 560 specialists provide reliable uninterrupted power supply to residents, social organizations and industry of the regional capital of Kuzbass. At the beginning of 2020, the company’s management announced the need to initiate and further implement projects to optimize business processes using lean production tools.

An analysis of organizational documents and experience in applying lean manufacturing tools showed that the most promising areas for implementing the lean concept for electric grid companies are:

- development of solutions to compensate for power losses;
- elimination of unproductive costs;
- optimization of the repair process;
- document flow optimization;
- reduction of receivables;
- reduction of costs in the structure of the cost of transmission and transportation of electricity;
- rational organization of the workplace and space in order to increase productivity, quality and safety.

One of the objectives of the study was to initiate and implementation of pilot projects of lean manufacturing. During the VSM-analysis of the process of coordinating daily work with the management of the operational dispatch service of the KHPP, losses in waiting, overproduction, and unnecessary movements were identified. Below are the problems that were identified only when one of the many processes was running:

- late driver;
- delay in the issuance of the equipment necessary for work (lack of stock, absence) to employees;
- loss of time to search for and receive material in the warehouse by employees;
- untimely coordination of the composition of participants, the perimeter of work by the heads and heads of structural divisions;
- lack of specialists for the available number of machines;
- idle time of drivers and working personnel at the time of coordination by technicians of work for the day and at the time of issuance of equipment to them;
- lack of up-to-date information on subscription payments;
- lack of consumables at the place of work due to incorrect information.

All identified problems can be fully resolved at the enterprise level; their solution requires mainly organizational measures. When they were solved, it became possible to reduce the time of the process by 2 times, to get rid of electricity losses in electrical networks. When analyzing the work of the company's fleet using tools and methods of lean production (timing, Pareto diagram, "5 whys"), the reasons for downtime were identified and the groups of vehicles used as inefficiently as possible were identified.

80% of transport downtime due to lack of demand is brought by the first 5 types of vehicles: emergency (road service facilities), aerial platforms and cranes, tractors and excavators, buses, cars. All other vehicles account for only 20% of losses. The equipment utilization rate turned out to be 57% (calculations were made on the basis of data from the transport department, which takes into account the downtime for each working day for each type of transport) (*Fig. 1*).

Thus, the pilot projects for the enterprise have shown that lean production tools can significantly increase the economic efficiency of the enterprise. There were also definitions of modes of transport that are idle due to low air temperature or lack of a driver.

The overall economic effect of the proposed measures in the form of reducing staff expectations, reducing the cost of fuel and lubricants, reducing vehicle downtime, reducing electrical losses in networks and overproduction will, including due to the installation of new metering devices, exceed 7 million rubles. in year. Based on the experience studied, the results of pilot projects and the financial and economic state of KPSP, in the course of the study, an algorithm for introducing lean production at the enterprise was proposed.

Algorithm for implementing lean manufacturing tools:

- Establishment of a lean-technologies department for the implementation of a lean production system at the KGES enterprise;
- Development of a schedule for the implementation of lean production in the divisions of the enterprise;
- Training of personnel of all levels in the principles of lean production;
- Selection and analysis of the pilot site;
- Development of a pilot project in accordance with the schedule;
- Implementation of a pilot project;
- Evaluation of the efficiency of the KGES enterprise after the implementation of a pilot project on the introduction of lean production.

The introduction of tools and methods of lean manufacturing in an organization should be viewed as a project that is directly led by the head or his deputy. This project should be limited in terms, which distinguishes the project activity from the operational one. The formation of project teams, the definition of the scope of work on the project (hierarchical structure), the identification of risks, the establishment of quality parameters for the work performed are of great importance. Particular attention should be paid to working with stakeholders: lean projects can and should be carried out by specialists with basic knowledge and project management skills. The second enterprise in the study is Kemerovo DSK, whose main activities are the manufacture and supply of precast concrete, concrete, mortar, reinforcing welded and embedded parts. As part of a federal project

“Targeted support for increasing labor productivity at enterprises” the company was among the enterprises of Kuzbass, which, with the support of Rosatom State Corporation, FCC specialists, since 2018 have been successfully implementing the principles, methods and tools of lean production at their sites, allowing to reduce the loss of working time, optimize production flow, thereby increasing labor productivity by up to 40%. The FCC, together with the working group of the enterprise, identifies bottlenecks, improves processes by eliminating losses and identifying reserves. According to the director of the plant, participation in the program is an important stage in the development of each member of the working group and for the plant as a whole. The management of the enterprise was trained under the program “Fundamentals of Lean Manufacturing” using standardized methods,

The first implemented project at the Kemerovo DSK within the framework of lean manufacturing was “Improving Labor Productivity in Pallet Production”, which started in June 2018. The reasons for choosing the project were the lag between the production speed and the installation speed during construction at several sites (in Kemerovo and Novokuznetsk) and an increase in the cost of one m³ of manufactured products. The goal of the project is to increase the pallet turnover rate from 0.8 pallets/day to 1.2 pallets/day. The planned effect is an increase in the volume of products manufactured at pallet production from 100 m³/day to 150 m³/day, a decrease in corrosion of the metal of the bead equipment. After timing and building a current value stream map, the project participants identified a number of problem areas and reorganized the process, improving it and reducing unproductive losses:

We changed the scheme of moving the reinforcement cage around the shop, reducing the distance of moving the reinforcement cage by 60 m, the number of operations from 8 to 5, and the time for moving the reinforcement cage from 18 minutes. up to 8.3 min.

Changed the location of the warehouse for thermally hardened rebar, reducing the distance of rebar movement from 30 m to 6 m, the number of operations from 3 to 1, and the time to move rebar from 5 minutes. up to 3 min.

Instead of paper drawings, their electronic counterparts began to be used.

The formwork warehouse was moved, which reduced the time of formwork installation from 43 minutes to 43 minutes. up to 26 min.

The implementation of this lean manufacturing project laid the foundation for the implementation of other projects that improve operational efficiency.

As a result of mapping the loading process of finished products, unproductive downtime per day (626 minutes) was identified. From the analysis of the value stream map, it became clear that the most problematic process is the queue for loading, which occurs due to the lack of a logistics scheme, violation of temporary standards for loading one car, and the non-working state of the device for chipping. The overall flow efficiency was 70%. After analyzing the data obtained, we can conclude that fine-tuning the process will help to evenly divide the work between specialists at different stages by identifying bottlenecks and increase the consistency of actions. The enterprise has a real opportunity to improve the efficiency of the production process and reduce the identified losses in the finished product shop, if you develop a logistics scheme for the shipment of material, create an application – a program for scheduling the shipment of goods, develop a standard operating card for a logistician. This can reduce overhead, reduce the number of processes that do not create value, ensure the rhythm of

operations, reduce waiting times. Using the principles and tools of lean manufacturing, Kemerovo DSK has achieved improvements in terms of reducing the occupied space, putting things in order at the workplace, reducing the time to complete operations, and increasing operational efficiency. ensure the rhythm of operations, reduce waiting times. Using the principles and tools of lean manufacturing, Kemerovo DSK has achieved improvements in terms of reducing the occupied space, putting things in order at the workplace, reducing the time to complete operations, and increasing operational efficiency. ensure the rhythm of operations, reduce waiting times. Using the principles and tools of lean manufacturing, Kemerovo DSK has achieved improvements in terms of reducing the occupied space, putting things in order at the workplace, reducing the time to complete operations, and increasing operational efficiency.

As noted above, at the initial stage, review training of several specialists took place at the enterprise with the inclusion of the enterprise in federal projects. Further training of the management staff was carried out at a fairly high level. However, participation itself in training and searching for bottlenecks, developing measures to improve them is not considered by the participants as participation in the project, many perceive it as an extra burden, as an additional assignment (most often unpaid), performers do not feel like members of one project team. All of the above gives rise to risks and problems that need and can be managed. To a large extent, they coincide in most enterprises that have decided to apply the concept of lean production (*Tikhonina, 2018; Behysh, 2018*).

Activities to improve operational efficiency should be carried out in a project mode. A project is a time-limited intention to create a unique product or service, which is a consistent and interconnected set of activities and processes aimed at achieving the main goal, in the form of a large-scale task (*Vershinin, 2020*). Project activities are not formally fixed at this enterprise. However, many experts are thinking about combining the concept of lean manufacturing and project management.

In the course of a questionnaire survey conducted in July 2020 of managers and specialists of the enterprise, it was revealed that more than 90% of those surveyed believe that the project approach would be useful to the organization, and 20% spoke in favor of the full-scale implementation of the project approach on an ongoing basis. It is known that any new process or change in work is perceived by the staff as a danger of losing their place or not meeting new requirements. Therefore, employees are always against any changes, and there is a risk that employees will refuse to comply. For two years of using lean manufacturing tools, the company has accumulated its own experience. FCC specialists made a significant contribution to the development of lean production. Thus, professional advice from specialists and managers has played a decisive role.

According to the results of the study, it is possible to identify a number of areas necessary for the implementation, reducing the likelihood of adverse events in the implementation of the concept of lean production. This is the creation of a project office and a standard operating procedure that provides for the procedure for initiating, planning and implementing projects; improvement of personnel training methods; introduction of acquired knowledge into production processes.

Conclusion

The study confirmed the hypothesis that the tools and methods of lean manufacturing can be used in any industrial enterprise. Successful implementation of lean production projects contributes to the growth of labor productivity, employee income, reduction of unnecessary stocks, occupied areas, more rational use of natural resources. However, to achieve significant results across the entire enterprise, the obligatory conditions must be met:

- interest of the leader of the organization;
- availability of competencies in the field of project management;
- creation of a system of multi-level training in lean production for employees of the enterprise;
- transformation of the employee motivation system with a focus on continuous improvement of performance;
- creation and development of programs for the formation of a thrifty worker;
- using the capabilities of digital technologies to solve the identified problems;
- orientation of project activities for the initiation, planning, implementation and completion of lean production projects to improve the skills of employees, ensuring decent and safe work;
- the formation of standard operating cards, procedures and their strict observance should become part of the corporate culture of employees.

Ensuring the above conditions can be the key to the successful implementation of tools and methods of lean production in order to increase the operational efficiency of enterprises; they are common to enterprises in any field. However, industrial enterprises have their own specifics. The problem of low labor productivity here is one of the most acute, which means that the use of lean technologies is more relevant. A significant number of enterprises in the Kemerovo region are vertically integrated, which predetermines the specifics of the initiation, planning and implementation of lean production projects. The quality of the labor force employed in industry is low, which makes it difficult to organize training and create a culture of lean manufacturing.

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Appendix

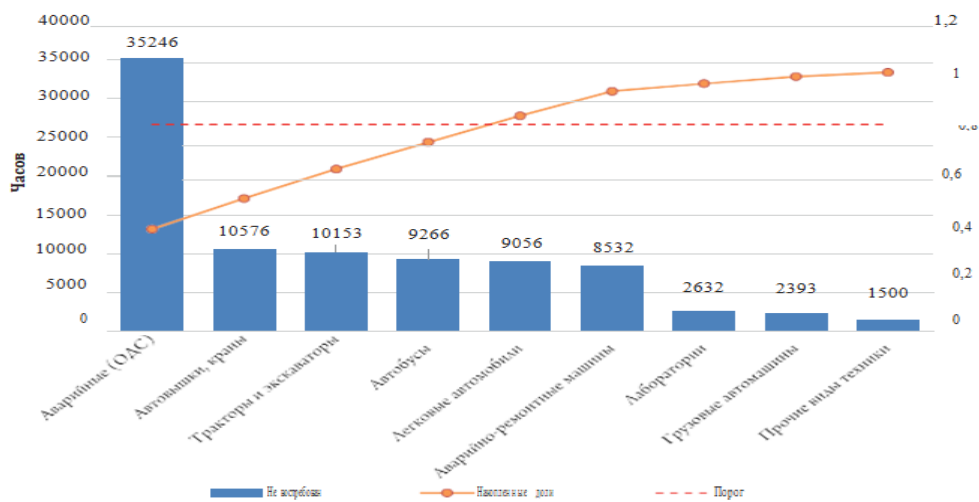


Figure 1. Pareto chart for unclaimed transport

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Technologies of political manipulation in the era of post-truth (on the example of the confrontation between the USA and the Russian Federation)

Abstract: Manipulation in modern society is one of the fundamental mechanisms of confrontation between countries. Through consideration of this issue on historical facts, it can be concluded that this article reveals the technologies of political manipulation in the post-truth era (on the example of the confrontation between the United States and the Russian Federation) through the study of theoretical and methodological aspects and consideration of post-truth as a tool for constructing and modifying political reality, leaving to manipulation through the post-truth tool. The object in this study is post-truth as a form of influence on the consciousness of citizens and its formation in modern political discourse, while the subject: Technologies and methods of political manipulation of consciousness in modern discourse (the era of post-truth). In study, the author solves following tasks as to define the basic concepts that designate the post-truth era and distinguish it from others, identify the main methods, technologies of political manipulation in the era of post-truth, identify the features of political interaction in the era of post-truth, determine the degree of development of this phenomenon in world politics, using the example of the information confrontation between the Russian Federation and the United States of America, and also, determine the degree of effectiveness of the influence of post-truth technologies on modern political processes.

Keywords: manipulation, post-trapping, confrontation, technology, Russia, USA.



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Технологии политического манипулирования в эпоху постправды (на примере противостояния США и РФ)

Аннотация: Манипуляция в современном обществе является одним из основополагающих механизмов ведения противостояния между странами. Через рассмотрения данного вопроса на исторических фактах можно выйти на то, что данная статья раскрывает технологии политического манипулирования в эпоху постправды (на примере противостояния США и РФ) через исследование теоретико-методологические аспектов и рассмотрения постправды, как инструмент конструирования и модификации политической реальности, выходя на манипуляцию через инструмент постправды. Объектом в данном исследовании является постправда, как форма воздействия на сознание граждан и его формирование в современном политическом дискурсе, в то время как предметом: Технологии и методы политического манипулирования сознанием в современном дискурсе (эпоха постправды). Из этого выстраиваются основная цель исследования и задачи, которые необходимо выполнить, а именно:

определить роль постправды в современных политических взаимоотношениях и способы влияния на политические процессы. В ходе исследования автор решает такие задачи как определение основных понятий, обозначающих эпоху постправды и отличающие от других, определение основных методов и технологий политического манипулирования в эпоху постправды, выявление особенностей политического взаимодействия в эпоху постправды, определение степени развития данного феномена в мировой политике, на примере информационного противостояния Российской Федерации и Соединенных Штатов Америки, а также выяснение степени эффективности влияния технологий постправды на современные политические процессы.

Ключевые слова: манипуляция, постправда, противостояние, технологии, Россия, США.



Introduction

The relevance of the topic of this study due to a number of factors:

1. Currently, the post-truth policy is gaining popularity in the field of international relations, due to the effectiveness and wide arsenal of manipulation methods based on information technology.
2. In the context of modern information confrontations between the Russian Federation and the United States of America, post-truth technologies are actively developing, improving the ways of influencing the political orientations of the electorate.
3. The phenomenon of post-truth is relatively new, which implies the absence in the scientific community of sufficient scientific development of the topic and, consequently, a universal and clear system for classifying its forms and methods of influence.
4. Given the possibility of post-truth politics to manipulate the minds of the population and set the political agenda, it is necessary to conduct further research on this phenomenon in order to develop tools and methods for limiting and counteracting the impact of post-truth political manipulation methods on the population.

Currently, a large number of scientific works by political scientists, sociologists, psychologists, lawyers and experts in the field of international relations have been published on the subject of post-truth research and methods of political manipulation in its discourse. The works used in this course work can be divided into two main groups:

1. Articles and monographs devoted to the study of the conditions for the formation of the phenomenon of post-truth and the methods of political manipulation characteristic of this period. The emphasis is on the study of social, political and psychological processes and the analysis of the modern picture of the world. Here it is necessary to highlight the works of R. Kreitner (*Kreitner, 2016*), I.D. Tuzovsky (*Tuzovsky, 2020*), A.V. Manoilo, A.E. Popadiuk (*Manoilo & Popadiuk, 2020*), R.L. Hasen (*Hasen, 2020*), S.I. Strong (*Strong, 2017*), V.V. Borshchenko (*Borshchenko, 2021*), Yu.V. Puyu (*Puyu, 2014*), I.V. Gorokhov, T. Yu. Gerasimova (*Gorokhov & Gerasimova, 2019*), A.Yu. Garbuznyak (*Garbuznyak, 2019*), V.V. Subochev (*Subochev, 2019*).
2. Research papers by Russian and foreign authors that explore political manipulations in the era of post-truth and their role in the system of international relations. These publications present the political processes of the development of international relations and election

campaigns, in which post-truth technologies were used and on the example of which the techniques and methods of political manipulation in the post-truth era are analyzed. Authors of these studies: MC Sandra (*Sandra, 2016*), D.G. Evstafiev (*Evstafiev, 2020*), P.J. Quirk, A. Rudalevige, Smith C.W. (*Nelson et al., 2021*), E.E. Glazov (*Glazov, 2018*), O.V. Popova (*Popova, 2018*) and others.

The following provisions are submitted for consideration:

1. The politics of post-truth is now actively used in modern international and internal conflicts, providing tools for non-coercive influence on the minds of people in order to lobby for certain political ideas, beneficially exercising influence.
2. An important role in the implementation of the post-truth policy is played by actively developing social networks and Internet resources that make it possible to convey viral fake news to citizens without checking for authenticity and in the shortest possible time, using bots to create the illusion of a discussion around certain issues, shifting the focus of the audience's attention from problematic aspects political discourse.
3. The methods of political manipulation in the post-truth era cause a growing distrust of the political sayings of officials and information provided by official channels and the media. This is achieved due to the abundance of fake information, their high degree of confidence due to the inability of citizens to confirm or refute this information.
4. The phenomenon of post-truth is debatable, there are no generally accepted concepts and classifications of this phenomenon, which, in turn, complicates the development of ways to counteract the methods of political manipulation that are characteristic of modern political discourse.

Article structure due to the logic of the study and consists of an introduction, one chapter, conclusion and references, including 20 titles.

Theoretical and methodological aspects of the study of forms and methods of political manipulation in the era of post-truth

The phenomenon of post-truth as a subject of political research

For the first time, the phenomenon of post-truth was mentioned in 1992 in an essay by the American playwright Steve Tesich and until 2016 had no clear definition: "We have acquired a spiritual mechanism that can deny the truth of any significance. In a very fundamental way we, as a free people, have freely decided that we want to live in some post-truth world." (*Kreitner, 2016*)

That all changed in 2016, when the Oxford Dictionary named post-truth the word of the year. The publication defines post-truth as a concept that refers to or refers to circumstances in which public opinion is shaped more by appeals to emotions and personal beliefs than by objective facts: "Relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief." (Oxford Learner's Dictionaries post-truth adjective)

There are also views according to which post-truth is not a new phenomenon at all, according to E.E. Pronina and A.S. Kirichenko is just a new name for political manipulations,

“political technology tricks are now called a special form of truth” (*Tuzovsky, 2020*) methods to which, due to the modern availability of information and its leaks, have become known to parts of the population. Colin White refers the emergence of the phenomenon of post-truth to the period of life of N. Machiavelli.

Nazi propaganda used tools similar to post-truth and was guided by similar goals, it was important not to be truthful, but to appeal to the masses by arousing in them a sense of their own exclusivity and pride in their state through the use of false, but convincing information. So, confirming the above idea, one can quote the head of Nazi propaganda J. Goebbels “We are not seeking the truth, but the effect” (*Goebbels, 1998*).

Such close attention to post-truth was caused by the emergence in the international arena of many precedents of political accusations, the main distinguishing features of which were the lack of factual validity of claims and the use of indirect arguments aimed not at direct proof of the truth of one’s position, but at persuading the world audience that one is right. As an example, associated with the 2016 US presidential election. After the victory of the Republican Party candidate Donald Trump, it was established that an important role in his election was played by the army of bots, the origin of which was again blamed on the Russian Federation and again no factual substantiations of the information provided were presented in the accusations, but only indirect arguments that appealed to a wide to the masses only through persuasiveness.

In modern political discourse, the struggle for political support enters a new, international level, states, using the media (hereinafter referred to as the media), wage information wars, directing their action to gain the trust of an international audience. In such confrontations, the importance of the reliability of information is lost, since it is difficult or even impossible for ordinary citizens to verify the accuracy of the information provided to them, the main role in gaining their trust is played by its persuasiveness.

According to I.D. Tuzovsky (*Tuzovsky, 2020*) there are three main criteria for post-truth, based on the definition of “Oxford Dictionaries”:

1. The news reports of the post-truth era not only do not use, but also ignore the factual validity of the theses. In the course of ignoring the facts, it becomes possible to deliberately distort reality in the minds of the recipients in order to create the views necessary for the manipulator on events, persons, processes, in the form necessary for the communicant.
2. Information appeals to the value and moral convictions of a person.
3. This allows you to create cognitive distortions in the mind of the recipient, which, in turn, are a tool for changing views on events and processes.
4. Emotional pressure is used to argue the position. It is a tool for creating confidence among the objects of influence in the veracity of the information provided by them, not by achieving the truth, but by convincing others that they are right.

Modern scientific approaches to the study of the phenomenon of post-truth

In their writings, representatives of the Department of Political Institutions and Applied Political Research at St Petersburg University (*Popova, 2018*) concluded that the increasing role of post-truth in modern political discourse is associated with the prevalence of communications in social networks and the receipt by citizens of information about the surrounding political

reality from them, bypassing the use of reliable sources. In their opinion, the system-forming factor of the political discourse of the post-truth era is political uncertainty.

A.V. Manoilo and A.E. Popadyuk (*Manoilo & Popadyuk, 2020*) in their article consider the connection of the post-truth phenomenon with the cognitive distortion of reality caused by the activity of social media platforms to replace objective facts with fake news (fake-news), a feature of which is the presentation of unreliable information in order to arouse “hype interest, feverish excitement or panic” (*Manoilo & Popadyuk, 2020*). Sandra Marco Colino in her article also draws attention to the active use of fake news in modern politics, in particular, on the example of the UK leaving the European Union, however, in her opinion, the increased occurrence of these precedents is an indicator that there is a “transition of society into the era of technocracy” (*Borsbchenko, 2021; Pnyu, 2014*)

A supporter of the communicative approach to considering the phenomenon of post-truth A.Yu. Garbuznyak (*Garbuznyak, 2019*) in his article “Post-truth Phenomenon: Devaluation of Fact in Media Discourse” connects media communication channels (media narrative) with the growing level of dissemination of political information through interpretation. According to this approach, the media is the main communicator that communicates information about politics to society. As a result, the media have the opportunity to shape the political consciousness of citizens and, consequently, their perception of modern political discourse. According to A.Yu. Garbuznyak fake news does have an impact on modern political processes, however, their effectiveness is greatly reduced due to the ability to counter them using fact-checking (information verification). A feature of post-truth is the difficulty for confirmation and refutation, and, professor C.I. Strong (*Strong, 2017*) points out that people’s vulnerability to political disinformation (fake news and post-truth politics) is based on the “information deficits” (*Strong, 2017*) resulting from the audience’s lack of interest in studying political processes, however, Strong notes in his essay that attempts to correct the information deficit by increasing the amount of information provided or giving refutation of fakes often lead to an even greater level of delusion in recipients who are firmly committed to their original position. People are more likely to hold on to their factually inaccurate beliefs if the information is presented in a way that is easy to counter. Also, resistance to changing one’s point of view is most clearly manifested when observing the confrontation between the two sides, as happens in political debates. This phenomenon helps to understand why, in the era of post-truth, media attempts to point out factual inaccuracies in the speeches of participants in political struggle have little effect on the perception of these political actors by the electorate. Also S.I. Strong pointed to the possibility of countering fakes aimed at dividing society by finding common ground among the opposing sides, focusing on higher goals that appeal to all or most of the participants in the confrontation that cannot be achieved in conditions of disunity. “Focusing on “superordinate goals,” meaning “goals which are compelling and highly This phenomenon helps to understand why, in the era of post-truth, media attempts to point out factual inaccuracies in the speeches of participants in political struggle have little effect on the perception of these political actors by the electorate. Also S.I. Strong pointed to the possibility of countering fakes aimed at dividing society by finding common ground among the opposing sides, focusing on higher goals that appeal to all or most of the participants in the confrontation that cannot be achieved in conditions of disunity. “Focusing on “superordinate goals,” meaning “goals which are

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According to the political approach to the analysis of the phenomenon of post-truth, which is represented by Richard L. Hasen (*Hasen, 2020*), one of the main reasons for the existence and rooting of the modern phenomenon of post-truth in political discourse is the lack of a judicial body on the world stage that everyone could trust and whose objectivity would not be called into question: “there is no generally accepted arbiter whom a broad spectrum of the public will rely upon to resolve public factual disputes” (*Hasen, 2020*). Based on the works of Richard L. Khasen, his opinion on the decreasing role of objective facts, the increase in reliance on the evoking of emotions in recipients when submitting information agrees with the representatives of the Department of Applied Political Studies of St. Petersburg State University (*Popova, 2018*), A.V. Manoilo, A.E. Popadiuk (*Manoilo & Popadiuk, 2020*), and A.Yu. Garbuznyak (*Garbuznyak, 2019*), as well as with some other researchers of the post-truth phenomenon.

Also, Richard L. Hasen notes that due to the modern accessibility of mass media sources through the Internet, there are more and more media outlets that provide not objective information, but interpretation of information in the manner in which the readers themselves are interested. Khasen calls this phenomenon “cheap speech” (*Hasen, 2020*). This is precisely the negative side of modern freedom of speech and the prevalence of social networks. The danger lies in discrediting the media, which are trying to give objective information and an assessment of the reality of the audience. There is a loss of trust in official sources and people actively believe fake news (fake-news) that find their use in the political struggle for the consciousness and perception of the electorate.

“In place of media scarcity, we now have a media fire hose which has diluted trusted sources of information and led to the rise of “fake news” – falsehoods and propaganda spread by domestic and foreign sources for their own political and pecuniary purposes.” (*Hasen, 2020*). Due to the fact that people in the post-truth era are more inclined to believe those sources that appeal to their interests and tend to trust less information that causes internal conflicts in them, regardless of its reliability, and also, due to the specific perception of post-truth news, not can

or find it difficult to verify the accuracy of information, another form of danger of post-truth arises. The public may not believe in the danger of global warming and the need to care for the environment, question the danger of global problems such as the COVID-19 pandemic.

Also, the danger of the era of post-truth is reflected in their writings by Gleb Tsipursky and Fabio Votta. They note that the inability of citizens to differentiate false and true information is caused by rapid technological changes, in particular, the development of social networks as the main channel for perceiving information. This justifies, from the point of view of Richard L. Hasen, the danger of post-truth politics for the liberal democratic values of society and democratic principles (*Garbuznyak, 2019*).

Post-truth as a tool for constructing and modifying political reality

Modern researchers note that social media, in addition to carrying out its basic function – broadcasting information to the masses, are also beginning to provide their own views and interpretations of the transmitted data. It follows that the media now play a leading role in shaping political reality. The media are the main tool for changing the views, moral and value orientations of the audience, therefore, they actively influence the formation of a certain attitude of information recipients to a particular political event.

The traditional methods used by the post-truth media to construct and modify political reality are “media agenda setting, priming and framing” (*Popova, 2018*).

The media agenda is based on the dependence of the emphasis placed by the media on events and the importance attached by the audience to these events. The media that sets the media agenda does not control the attitude of individuals to events, however, by selecting certain news, they can give significance in the minds of the audience to this or that event, and therefore, thanks to this tool, the media can influence what the electorate will think about and on what problems will focus on.

Priming is inseparably linked with the concept of prime “an object, after meeting with which a person’s ability to act with an identical or similar object changes” (*Popova, 2018*), in Russia this term is also called pre-adjustment. Priming is a technique aimed at quickly solving a problem that has arisen and forming a certain opinion about it by analogy with questions, actions, in a word, solutions to similar problems that have been used in the past. In addition to setting the media agenda, which implies the exclusive influence of the media on the perception of the significance of certain political issues by society, priming suggests that the issues covered have a key influence on the perception and evaluation of a particular political actor by individuals. Therefore, the information which is broadcast by the media directly affects the perception of politicians by the population. Raising the media of certain problems and their regular coverage increases their (problems) significance in the eyes of the audience, in shaping the public’s view and evaluating a particular politician. Moreover, the more often a certain agenda or issue is raised, the greater the impact it has on citizens’ assessment of politicians’ actions. This allows the media to shift the focus of the audience’s attention, for example, from domestic to foreign politics.

Framing, on the other hand, is based on the dependence of citizens’ perception of problems on how they are covered or how they are interpreted in the media. With a certain presentation and interpretation of similar information, it can be given different meanings. This effect is

achieved through the process of creating frames, interactions between the main political actors, as a result of which social media processes information in a negotiated format to meet the needs of political elites and then broadcast to the masses.

The researcher of traditional methods of constructing and modifying political reality R. Entman (*Popova, 2018*) states that although the information transmitted by the media has a significant impact on the minds of individuals, it cannot completely change their position on certain issues, however, such flows of information can set the vector of thoughts of recipients by choosing information and how to submit it.

Also, post-truth researchers identify new media technologies for modifying political reality associated with the era of post-truth, namely “personalization of politics, emotionalization of politics, entertainment politics, hybrid media campaigns.” (*Popova, 2018*)

The personalization of politics is a shift in the focus of the audience’s attention from political institutions that express various political currents to the individuals who represent them. The main role in these processes is again played by the media. As a result of the acceleration of modern communications due to the dominance of the Internet and television, the growing role of the media in shaping the political consciousness of the population and the commercialization of media information, it is the politician’s speech, appearance and personal qualities demonstrated to the general public that are the basis for the formation of his image. Due to the personalization of politics, the party, political program and factual arguments play a much smaller role than personal impressions of this or that political actor formed on the basis of external characteristics, charisma, style of speech and behavior in shaping the political beliefs of the electorate.

The emotionalization of politics implies that in modern political discourse the main role is played not by factual argumentation and rational arguments, but by the emotional presentation of information and upholding one’s positions. This trend can be clearly seen in the US elections. Whereas in the 2008 election, the winning Democratic candidate, Barack Obama, used social media such as Twitter mainly to demonstrate proximity to the population, a progressive lifestyle, and inform about upcoming events and planned events (*Bykov, 2010*), in the 2016 election, the winning Republican candidate, Donald Trump, used social networks for extremely impulsive expression, using emotional overtones to give their messages sincerity and persuasiveness against the background of other candidates, who maintained their accounts moderately and politically correct. Studies show that messages that cause a violent emotional outburst are more actively distributed on the network than formalized ones (*Popova, 2018*). Given the fact that negative information spreads much faster than positive information, the active use of fake news in the 2016 US elections can also be explained.

Due to the fact that social networks are the main channel for obtaining political information for the public, given the highest degree of redirection of viral fake news with negative connotations, it can be understood that the views of the population at the time of the elections were mainly framed based on the received negative emotions. from fake information broadcast by social networks and distributed by ordinary citizens. Thus, the person of Donald Trump was played up in these information stuffing as positive, “for example: the Pope supported the candidacy of D. Trump in the US elections” (*Popova, 2018*). Donald Trump’s opponent Hillary

Clinton, in turn, appeared in this news in a negative way, H. Clinton sells weapons to the Islamic State.

Entertainment politics represents the transformation of politics into an entertainment show. This phenomenon occurs during the period of commercialization of the media and the “race for ratings”. This political concept is based on the concept of newsiness, according to which modern media, when creating a structure of public interests, share information in such a way that the data provided can be qualified as news. Views on the criteria for being newsworthy differ. J. Galtung and M. Rouge identify the following criteria:

1. Frequency – allows you to determine the degree of uniqueness of the event.
2. Amplitude – the choice of an event based on the drama and duration of the process, the longer and sadder, the better.
3. Surprise – how much the information is unexpected for the audience, how positively it is perceived by the recipients.
4. Unambiguity – Events must be interpreted in a certain way and in a simple way, in order to more actively attract the attention of individuals.
5. Relevance – Information interpreted by the media must fit the expectations of the public.
6. Recognizability – How relevant the information is to the current agenda and cultural context for ease of understanding.
7. Continuity – the constancy of the structure of the information provided and the frequency of its provision.
8. Composition or balance – it is necessary to present data in a balanced way, balancing negative events with positive ones (*Popova, 2018*).

A different view is held by T. Harkap and D. Onil (*Popova, 2018*). In their opinion, the following criteria of newsworthiness can be distinguished:

- 1) is there any mention of the political elite (whether individuals or organizations);
- 2) whether celebrities are mentioned.
- 3) whether the event is entertaining (of public interest).
- 4) whether it is surprising.
- 5) is this news good (i.e., saving someone) or bad (accident, tragedy).
- 6) whether this event is important.
- 7) how close it is to the culture of the country.

From these classifications comes the understanding that the media, guided by the criteria of newsiness, choose events with a simple structure, long duration and a high level of drama and which are associated with some significant person.

Media hybridity consists in broadcasting ambiguous or unsaid information by political actors in order to increase attention to their person.

Post-truth as a tool of political manipulation

The views of scientists on manipulation vary, some psychologists believe that manipulation is destructive and is described as “secret mental influence, with the aim of causing damage” (*Borsbchenko, 2021*).

Based on the research of Yu.V. Puyu (*Puyu, 2014*), in which she relied on the works of S.L. Bratchenko, manipulation can be applied, in some cases, in the interests of the objects of

manipulation, which, in turn, indicates that the process of manipulation is not always destructive and can be used for constructive purposes. It becomes obvious that manipulation can be used in various forms and be both constructive and destructive. It follows from this thesis that manipulation, according to the views of some authoritative thinkers, does not have a negative connotation.

The main task of political manipulation is to convince the electorate, by appealing to their interests, of the need to adopt a certain political discourse, which often runs counter to the real interests of the public. “Making the audience believe or do things that are in the interests of politicians and against the best interests of the people”.

The signs of manipulation are:

1. Spiritual and psychological impact (lack of physical).
2. An action that is imperceptible to the object of manipulation (Gorokhov & Gerasimova, 2019).
3. The greatest role in the impact is played not by the factual basis of information, but by the form and nature of its presentation.
4. It is carried out indirectly, by creating a deliberately necessary reaction to certain newsworthy events.
5. Actions are carried out in the interests of the manipulator
6. Impact is always purposeful (*Pnyu, 2014*).

A feature of political manipulation as an instrument of political struggle is the correspondence to its goals, namely, the focus on obtaining, implementing and maintaining power. If we deepen the above a little, we can come to the conclusion that the purpose of political manipulation is to create a certain image in the minds of people (object of influence) in relation to any subject or action, which allows them to get their support in the course of the struggle for power, for example, support in elections.

Methods of political manipulation are actively used in election campaigns, lobbying for certain changes in legislation and conducting information confrontations on the world stage.

V.V. Amelin classifies the following series of operations:

“1) The introduction into the public consciousness under the guise of objective information of the desired content for a certain group.

2) impact on the painful points of public consciousness that excite fear, anxiety, hatred.

3) the implementation of declared and hidden plans, the achievement of which the manipulator connects with the support of public opinion for his position.”

Due to the increase in the level of social atomization in modern times and the emergence of groups of individuals whose connections are impersonal, Evstafiev D.G. in his work “New Socio-Political Protestism and Technologies of Information and Political Manipulations. Experience 2017-2020” (*Evstafiev, 2020*) highlights the target audiences of political impact:

1. Youth. A social group that is a priority for manipulative influence. Thanks to the current trends in planting a cosmopolitan worldview among young people, a stratum of cosmopolitans is forming and increasing, socially and culturally separating themselves from the majority of the population of the state. In practice, this influence is aimed at forming anti-patriotic sentiments from cosmopolitan views.

2. Military personnel and employees of law enforcement agencies. Manipulative influence on this group is hampered by the presence of systemic rigid ties (i.e., an oath). Basically, the impact on them occurs in the format of intimidation and discredit.
3. Pensioners. Together with young people, they are a significant object of manipulation, due to the high level of social vulnerability and their low involvement in modern communication systems, but at the same time, their influence in traditional communication systems remains.
4. Recipients of social benefits. They are the most difficult audience for directed manipulative influence due to the increased level of social consolidation. Their exposure is served by the fact that they can be included in other categories of citizens. They are exposed to populist propaganda aimed at promoting or discrediting the current government.
5. Small business. Representatives of this social community are one of the most atomized groups of the population and can be manipulated by simple means due to the low degree of social and economic stability.

D.G. Evstafiev notes that these are only the main audiences, and the impact also occurs on budget workers, civil servants and other social groups.

The features and conditions of post-truth as an instrument of political manipulation are:

1. Availability of basic communication channels and “their management according to the classical hierarchical scheme”.
2. Filling the modern political information field with fakes.
3. The special importance of the presence of visual identifiers for the political consolidation of groups. Such signs can act as symbols, for example, used by the protest movement in the Republic of Belarus of the white-red-white flag of the Belarusian People’s Republic and from 1991 to 1995 the state flag of the Republic of Belarus, but also the slogan of the same protest movement – “Live Belarus!”, a person, such as the organizer of the protest movement in the Russian Federation, Aleksey Navalny, can also serve as a visual identifier.

In modern political discourse, the media come to the fore in the process of manipulation.

It is customary to refer to the media as the press, news agencies, radio, television, social networks.

In the era of post-truth, since the beginning of the 21st century, most of the media are moving from distribution through physical sources to the Internet, broadcasting information through text publications or videos. The specificity of the post-truth era is the abundance and easy accessibility for the masses of the media, of varying degrees of reliability. In his article “Strategies and tactics of political manipulation in the media” V.A. Golyanskaya and N.V. Melnik (*Golyanskaya & Melnik, 2019*) note that in modern reality, people have access to many sources, the reliability of which is difficult or even impossible for ordinary citizens to verify. Media with different political biases can give opposite information about the same informational occasion, and people can only choose, based on personal preferences, those sources that they will trust.

Classification of conditions and methods in the political manipulation of post-truth

Under the conditions of the modern system of democratic values, the legal toolbox is also becoming democratic, there is a shift from the forms of direct prohibitions and opposition to a

system of incentives that directs the activity of citizens in the right direction. It is precisely because of this that in the era of post-truth, political and legal manipulation becomes so in demand. The main technology of manipulation is the appeal and adjustment to the already known opinion of the electorate. Much attention is paid to the organization in society of visible feedback from citizens to the government, which is actually a set of pre-prepared responses. Also, in the conditions of modern political manipulation, social myths are actively created, as an example, the myth of Russia – the aggressor. An important role in the arrangement of political manipulation is played by repetitiveness – the repeated repetition of campaign materials, i.e., the repetition of social myths, which contributes to their rooting in the public consciousness. Political manipulation in the post-truth era is based on the fulfillment of a number of conditions:

- 1) Appeal to the requests and needs of objects of manipulation.
- 2) Based on the emotions, feelings and psychology of the target audience.
- 3) Changes in the representation of objects of manipulations about the current problem.

All these conditions fully fit into the system of modern democratic values. All conditions are aimed at a person, appeal to his interests and are aimed at changing his consciousness.

The main methods of political manipulation that have gained the most active use in modern political discourse are:

1. News feed of information. It is a widespread form of manipulation and is based on the transmission of messages to the media that meet the criteria of being newsworthy in order to form a certain picture of political events in the audience that is beneficial to political elites.
2. The introduction into the minds of people of certain information that is not directly related to politics, but is involuntarily taken into account by individuals in the formation of their political views.
3. Appeal in the political and legal agenda, by influencing the societal pain points to create certain moods and trends (i.e., the tragedy of September 11, 2001 for the United States or the Great Patriotic War of 1941-1945 for the Russian Federation).
4. Tabooing certain topics of discussion that may interfere with the formation of a certain agenda (*Glazov, 2018*).
5. The legitimization of lies, echoing point (*Garbuznyak, 2019*), under the pretext of protecting any minorities or repelling information attacks. This also includes campaigns to create fake news or post-truth news, which are mostly driven by bots (*Kreitner, 2016*).
6. Using bots. Bots are used not only to throw news, but also to create the illusion that the electorate supports certain ideas or personalities in social networks, given the mass character of modern politics, this actively influences the thoughts of real people who see active support for a particular candidate or a particular idea in social networks (*Glazov, 2018*).
7. The simplicity of sayings, their ease of understanding for the population and the emotional coloring of the messages, without using factual arguments to defend their positions (*Popova, 2018*).

The role of post-truth manipulation in modern election campaigns (on the example of the 2016 and 2020 elections in the USA, 2018 in the Russian Federation)

Let us consider the role of post-truth in the events that caused such a strong growth of scientific interest in this phenomenon (post-truth). Post-truth political manipulation technologies were actively used in the 2016 US election race. Since the beginning of the campaign, Republican candidate Donald Trump has made a number of political statements characterized by a strong emotional coloring and lack of factual validity (*Garbuznyak, 2019*), relying on such a phenomenon of the post-truth era as the emotionalization of politics. His political company appealed to the feelings of the population. So, Donald Trump used the social network Twitter to create an image of a sincere politician among the electorate, expressing controversial and often contradictory thoughts about political events. The candidate's messages were often ambiguous or understated, which increased the level of media interest in his person. They invited Donald Trump to clarify issues that arose from his short messages on Twitter, which allowed them to receive many publications in the media and many media platforms on which the candidate's speeches were broadcast, thereby increasing awareness among the population. Donald Trump's speeches were written in simple language and had a bright emotional color, replete with jokes, which made it possible to increase the audience's interest in his introductions. There is a reliance on such a phenomenon of modernity as entertainment politics. Donald Trump also used such a technique of political manipulation as repeated repetition of ideas in his speeches, which, in turn, also made it easier for the population to understand and accept these ideas, and also, in view of the broadcasts with his participation in a variety of media, allowed the formation of a profitable media agenda (*Popova, 2018*). Also, in the election race, the Republican candidate used such post-truth tools as fake news and bots in symbiosis. Taking into account the theory of the rapid spread of negative emotionally charged fakes in social networks, many bots were engaged in stuffing fakes into the media space (*Kreitner, 2016*), which made it possible to form a negative image of the opponent – Hillary Clinton and a positive image of Donald Trump (*Popova, 2018*).

In the 2020 elections, the situation did not change much, Trump again attracted the attention of the media, generated four times more tweets than Joe Biden, despite the fact that his messages were again as simple and emotional as possible. He also did not do without contradictory, false or provocative statements, again receiving attention in the media. By August 2020, the Washington Post reported 25,000 false statements by the president. Also, after blocking Donald Trump's account on the social network Twitter, American studies showed that the amount of disinformation in the online media space fell by 73%. A feature of the 2020 elections was the campaign of Donald Trump supporters to delegitimize the elections, which was accompanied by a lot of fake news about fraud in the electoral system, which divided Americans into two opposition-minded groups (*Nelson, 2021*).

The presidential elections in the Russian Federation in 2018 were mainly characterized by such a post-truth phenomenon as the personalization of politics. People voted or boycotted the elections based on their personal attitude towards the candidates rather than rational logic. Candidates in the political struggle intensively used such a political mechanism as the conformity of opinions – speaking in support of the candidate of opinion leaders and famous people, whose support is significant to the public. The political technologies of post-truth were also actively

used. The organizer of the protest movement in the Russian Federation, Alexei Navalny, who was not admitted to the elections, disseminated post-truth information (which is difficult to confirm or refute). As an example, Navalny accused candidates K.A. Sobchak and P.N. Grudinina is that they are “Kremlin projects” to create the illusion of alternative elections, these rumors quickly spread among the public due to the fact that negative emotionally charged stuffing has the highest degree of distribution in social networks. The emotionalization of politics also plays a certain role. Video bloggers such as Yuri Dud, Ruslan Usachev, Nikolai Sobolev and others often expressed a negative attitude towards the candidacy of the incumbent president, without supporting their judgments with factual evidence. The phenomenon of turning politics into a show is also actively used, for example, in the framework of the television debate, candidate K.A. Sobchak during a dispute with V.V. Zhirinovskiy doused him with water, thereby appearing before the public in the form of a strong woman rebuffing a male offender.

Conclusion

The first paragraph of this work reveals the concepts and history of the emergence of post-truth. Post-truth is a concept that has developed in modern times, according to which the appeal to emotions and personal convictions has a key influence on the formation of public opinion, prevailing over objective factual argumentation. The genesis of this phenomenon is debatable, some researchers believe that post-truth is another way of political manipulation.

The second paragraph highlights the main modern scientific approaches to the consideration of the phenomenon of post-truth. Scholars' approaches to post-truth research vary. It was possible to single out the main scientific approaches: communicative and political.

The third paragraph discusses the post-truth tools used in the course of influencing the existing political reality in order to change it to the needs of the manipulator. The main tools are priming, framing and media agenda setting. Also, post-truth researchers identify new media technologies for modifying political reality associated with the post-truth era, namely, personalization of politics, emotionalization of politics, entertainment politics, and hybrid media campaigns.

In paragraph 4, post-truth is considered as an instrument of political manipulation. The definition and classification of political manipulations is given. The target (particularly vulnerable to influence) audiences of political manipulation are identified. The key role of the media in modern political manipulation is indicated. The features of political manipulation in the era of post-truth are given, namely: the availability of basic communication channels and their management according to the classical hierarchical scheme, the filling of the modern political information field with fakes, the special importance of the presence of visual identifiers for the political consolidation of groups.

Section 5 gives a classification of the conditions and methods of political manipulation of post-truth. Conditions – appeal to the requests and needs of the objects of manipulation, reliance on the emotions, feelings and psychology of the target audience, changing the representation of the objects of manipulation about the existing problems. Methods – news feed, introduction of indirect information into the minds of people to change certain value orientations, appeal to the agenda, legitimization of lies, tabooing of information, simplicity of speech, use of modern technologies (bots).

Paragraph 6 shows the impact of post-truth politics on the existing political reality on the example of the elections in the Russian Federation in 2018 and in the United States of America in 2016 and 2020. The methods and conditions of post-truth and their influence on the election results are shown.

The leading positions are now played by the media, which release news, the reliability of which does not play a role for their success, since it is difficult to verify for ordinary citizens. These messages are not focused on direct ways to win an audience, such as political advertising, but on an indirect change in the views of the public, by raising and increasing the importance of topics that are beneficial to the agenda and hushing up or discrediting other informational events that run counter to the desired political course. An important role in obtaining the support of the population is played not by professionalism and reliable argumentation, but by the sensual interpretation of the messages submitted by the population. Based on the analysis of the main trends in the development of the post-truth phenomenon, the conclusion is formulated that although post-truth cannot directly change the opinions of individuals on specific issues, it can influence their perception of their significance, or switch the focus of attention to other problems, facilitating the manipulation of consciousness.

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Law in the process of globalization

Abstract: The process of globalization has become an integral part of the modern development of the whole society. Its influence is more evident every day. It primarily affects such areas as: politics, economics, culture in general, the media. The issue of the consequences of globalization for the development of law and the state is very interesting and relevant also because globalization is a very controversial phenomenon that entails not only positive, but also negative consequences for the development of states and their national legal systems. The relevance of the topic is due to the fact that the processes of cultural, economic, political and religious integration and unification are taking place at an unprecedented pace, globalization processes affect all spheres of public life, including the legal sphere. The object of the study is social relations arising in the sphere of globalization processes taking place in the modern world and their influence on law. The subject of the course work is scientific views and points of view on the process of globalization in the modern world, its impact on the state and law. The purpose of the course work is to study law in the process of globalization. The degree of development of the topic. Issues related to the study of the state, the legal system of society, globalization, the definition of their essence, form and functional purpose, have been and remain one of the central ones in the general theory of state and law. The scientific novelty of the study lies in the fact that in the context of globalization, the transformation of the legal system, including Russian society, creates a new quality of interaction between national and international legal norms, which consists in strengthening mutual influence and requires a consensus approach. The study was conducted on the basis of dialectical-materialistic methodology, within the framework of which logical, formal-legal, historical-legal, comparative-legal and other methods of scientific knowledge were used to solve the research problems.

Keywords: globalization, Russian Federation, international law, Constitution of the Russian Federation, law of the Russian Federation.



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«Право в процессе глобализации»

Аннотация: Процесс глобализации стал неотъемлемой частью современного развития всего общества. Его влияние все более очевидно с каждым днем. Она преимущественно воздействует на такие сферы как: политика, экономика, культура в целом, СМИ. Вопрос о последствиях глобализации для развития права и государства весьма интересен и актуален еще и потому, что глобализация является весьма противоречивым явлением, которое влечет за собой не только

позитивные, но и негативные последствия для развития государств и их национальных правовых систем. Актуальность темы обусловлена тем, что процессы культурных, экономических, политических и религиозных интеграций и унификаций происходят беспрецедентными темпами, процессы глобализации затрагивают все сферы общественной жизни, в том числе и правовую сферу. Объектом исследования являются общественные отношения, возникающие в сфере происходящих в современном мире глобализационных процессов и их влияния на право. Предметом курсовой работы являются научные взгляды и точки зрения на процесс глобализации в современном мире, его влияние на государство и право. Целью курсовой работы является исследование права в процессе глобализации. Степень разработанности темы. Вопросы, связанные с изучением государства, правовой системы общества, глобализации, определением их сущности, формы и функционального назначения, были и остаются одними из центральных в общей теории государства и права. Научная новизна исследования заключается в том, что в условиях глобализации, трансформация правовой системы, в том числе российского общества, создает новое качество взаимодействия национальных и международных правовых норм, которое заключается в усилении взаимного влияния и требует консенсусного подхода. Исследование проводилось на основе диалектико-материалистической методологии, в рамках которой для решения задач исследования применялись логический, формально-юридический, историко-правовой, сравнительно-правовой и иные методы научного познания.

Ключевые слова: глобализация, Российская Федерация, международное право, Конституция Российской Федерации, право Российской Федерации.



Introduction

Issues related to the study of the state, the legal system of society, globalization, the definition of their essence, form and functional purpose, have been and remain one of the central ones in the general theory of state and law. The scientific novelty of the study lies in the fact that in the context of globalization, the transformation of the legal system, including Russian society, creates a new quality of interaction between national and international legal norms, which consists in strengthening mutual influence and requires a consensus approach.

The purpose of the course work is to study law in the process of globalization.

This purpose is achieved by setting and solving the following tasks:

- explore the concept and essence of globalization;
- study the legal problems of modern globalization and methods for their solution;
- consider the impact of globalization processes on Russian law;
- study the ways of development of Russian law in the era of globalization.

The study was conducted on the basis of dialectical-materialistic methodology, within the framework of which logical, formal-legal, historical-legal, comparative-legal, and other methods of scientific knowledge were used to solve the research problems.

The impact of the process of globalization on law

Globalization is a process of modernity

This problem is caused by significant changes in the modern world, which have led to transformations both in international relations and within the states themselves and their legal systems.

This obliges political and legal science to explore the modern state and law from new positions previously unknown to these sciences. Globalization itself is a new stage in the development of human civilization, influencing the political activity of states, the functioning of business, the legal system, international law, the state of human rights, etc. It is a multi-vector and multi-network system. “It is able to give abundance, increase productivity, production efficiency. It is on the one hand.” On the other hand, “it deepens inequality, reduces diversity, undermines civil society”! (*Lukashev, 2000:12*)

Globalization is a term that appeared in the twentieth century. It is associated with the integration of markets for goods, services and capital in most countries of the world. It was this process that caused the emergence of economic monsters – transnational corporations dictating their rules to national economies.

In the context of globalization, it is quite obvious that there is a leveling, and sometimes a complete elimination of traditional national and global values, which can result in a simplification (possibly, disappearance, loss) of national values, without which the identity of nations and peoples is impossible, since their culture and identity disappear. Therefore, despite the inherent progressiveness of globalization, the positive properties of a number of its laws and processes, globalization in the minds of many people is identified with negative challenges to humanity, due to its ability to have a destructive effect on the foundations of life of large and small peoples and nationalities, on their national and cultural identity. It is no coincidence that in the political, economic and legal literature globalization is called the modern form of imperialism (*Ovchinnikov et al., 2009:147*).

At the same time, individual representatives of economic, political and legal science idealize the role and significance of globalization, only with it they associate the successful development of the modern world.

Such an attestation of globalization seems premature. Just the modern world gives us an example that globalization is a holiday for strong states, it is favorable conditions for the economy of other states, the prosperity of transnational corporations, whose economy suppresses the economy of other states, especially weak ones, making them even weaker and more dependent. For example, at the late-20th and early-21st century. ten countries out of 207 possessed 84% of the latest scientific developments and owned 95% of patents for new inventions.

Here we can recall the warnings of I.A. Ilyin who knew both Russia and the West: “We must understand and remember that any pressure from the West, no matter where it comes from, will pursue not Russian, but alien to Russia goals ... not the good of the Russian people, but the interest of the oppressive power and extortionist organization...” (*Ilyin, 1992:66*)

So, the globalization of globalization is different. It is one thing when it promotes progress, adequate, mutual influence, improvement of people’s lives, and another when it has opposite goals: it leads to the dependence of states on foreign capital, the unrestrained exploitation of cheap labor, increases unemployment, uses the natural resources of dependent countries in the interests of transnational corporations causing irreparable damage to nature.

In connection with what has been said there is every reason to quote the statement of Western analysts G.P. Martin and H. Schumann that globalization is a trap for all mankind, threatening prosperity and democracy (*Martin & Shumach, 2001*).

It cannot be denied that globalization is a reality of the modern world, it is an objective process of world development, especially in the economic sphere. Therefore, it cannot be a relative evil, but the fact that some scientists call it a new world order is far from reality. The world today is too diverse to call one thing a new order. Moreover, one cannot ignore anti-globalization – a movement that is being promoted by many leaders of states who see globalization as a threat to their own sovereignty and national identity. Therefore, the conditions for a real unified world order have not yet been created.

Considering the problem of globalization, its impact on the activities of modern states, it should be borne in mind that there are so-called global problems of mankind that objectively arose in this period, which can only be solved jointly. Among such problems I.I. Lukashuk highlights: the problem of ensuring global peace and security, the proliferation of nuclear, biological and chemical weapons, the preservation of the environment, the threat of international terrorism. These problems are facing the whole world (*Lukashuk, 2000:6-7*).

Also, to these problems, one can add unregulated migration of the population from undeveloped countries to developing and developed ones, the fight against the starving population and poverty in a number of regions, natural disasters, environmental disasters, etc. In addition, thanks to this phenomenon, global economic crises have decreased in cycles, and now they occur many times more often than in the 19th century, which negatively affects the rates of world and national economic growth. In conclusion, it must be said that globalization also entails new phenomena in world life, for example, the emergence of international law, which is being developed supranational bodies and organizations, such as: the UN, the Security Council, the European Union and its bodies (Council of Europe, the Pan-European Committee of Ministers, PACE). It is not necessary to associate the creation of these organizations and the formation of international law only with globalization, but it has greatly contributed to the development of these institutions.

Legal problems of modern globalization and methods (ways to solve them)

The legal problems of globalization in the system of social relations are not a polemical abstraction. These are purely practical problems, the real significance of which occupies an important place in the legal consciousness of the international community and which require urgent anticipatory solutions that can ensure normal conditions for the existence of earthly civilization.

The complication of social reality, due to a number of negative factors (depletion of the vital resources of the planet due to their irrational, selfish use, natural and man-made disasters, unknown diseases, excessive accumulation of various types of weapons, bureaucratic corruption, the fall of the intellectual and moral potential of mankind), all sharply raised the question of rethinking the legal regulation of social relations, their international legal universalization, the creation of a new international order.

Common fundamental legal principles, norms, standards are the main conditions, parameters of a single global legal space, a global legal community. On this basis, the interaction

between the norms of international and domestic law is expanding and strengthening. “The convergence of national legal systems in the international scope has become a decisive problem of our time” (*Tikhomirov, 2005*).

International law is playing an increasing role in the development and improvement of national, domestic legal systems. The international balance of these systems (with some exceptions) has become the rule. The generally recognized principles and norms of international law overwhelmingly coincide with the national interests of individual states (state sovereignty, the inviolability of the established constitutional order, the territorial integrity of the state, etc.). International law has become one of the criteria for the constitutionality of law in a constitutional state, which acts as an important institutional prerequisite for the international legal order.

In a rule of law state, the legal system is in harmony with international law, constitutionally fixing the functional priority of its fundamental principles and norms, the main substantive idea of which is the idea of human rights as the highest social value, their protection and protection. “The international community,” says the Vienna Declaration of 1993, “should treat human rights globally, on a fair and equal basis, with the same approach and attention. Although the importance of national and regional specificity and various historical, cultural and religious characteristics must be borne in mind States, regardless of their political, economic and cultural systems, have a duty to promote and protect all human rights and fundamental freedoms. “It is emphasized that”. All international legal acts on human rights consider the rule of law as a tool for asserting, ensuring all human rights, imposing on it (the state) appropriate legal obligations.

However, as noted, the overall development of mankind is uneven, ambiguous. Modern processes of globalization in the system of social relations are not without certain contradictions, negative trends, which causes a critical attitude towards these processes among a certain part of the population of different countries. In particular, many people are repelled by globalization because its economic benefits are becoming less and less accessible to the average worker.

An important role in the growth of anti-globalization sentiments is played by many permissive lines of an ideological order (i.e., religious beliefs and traditions, political views, etc.). One of the obstacles to the optimal solution of certain problems of globalization is the low level of legal awareness, the general culture of the general population. “Millions of people around the world perceive globalization not as an instrument of progress, but as a destructive force, like a hurricane and capable of destroying life, work and traditions. Many people are characterized by an ardent desire to impede this process and resort to an illusory calm in the world of nationalism, fundamentalism” (*Annan, 2009:65*). Therefore, the search for legal means to limit the negative aspects of modern globalization and its social consequences is so relevant and important. In social relations, not everything can and should be subjected to legal universalization, unification, and standardization. Appropriate approvals, approbation, joint decisions are needed. For example, the globalization of a religious or political order is unacceptable, just as there cannot be an international world religion, there cannot be an international world statehood with uniform legal and regulatory templates that destroy the spiritual specificity of this or that people, of this or that nation.

As noted by A.P. Chekhov, there are “limits to the universal”, which determine the limits of globalization in the system of social relations. In the language of the Koran, “God made

people into different peoples”, so there are different countries, states with different beliefs, different administrative infrastructure, different cultural identity, which no one has the right to destroy. If we recognize any unipolar hegemony (primacy, domination) for political domination, for the establishment of social law and order, the concept of state sovereignty loses all meaning. The concept of this or that social integrity, its qualitative certainty, is inextricably linked with a certain autonomy, that is, the relative independence of a certain internal structure in relation to this or that external sphere.

Forced import of the legal systems of some countries into others, without due respect for the regulations of the latter, has always been condemned and condemned by legal thought. The correct postulate is that one should distinguish between the social spheres of certain countries that are ripe “for global harmonization and those in which harmonization is real only at the regional level. Since a generally recognized model of international consensus (assuming general agreement) has not yet been developed, globalization should be carried out by the method of various agreements, coordination, subordination in accordance with the generally recognized principles of the international community (the principle of democracy, the principle of sovereign equality, the principle of non-intervention, the principle of equal rights of peoples and nations for self-determination, the principle of respect for human rights, the principle of justice)” (*Lukashuk, 2000: 126-172*).

All countries, voluntarily or involuntarily, must move towards a unified legal mass, a unified world legal system. They are being pushed to copy the exemplary European administrative law, which most fully enshrined human rights and freedoms. The imposition and introduction into the domestic law of various countries and continents of the concepts of “human rights”, “international standards”, “human values”, etc., ultimately undermines the system of national law, since some of these stereotypes do not fit into the historical mentality of the peoples of Russia and are not acceptable value.

Today we can observe that there is often an export of legal capital, that is, the forcible imposition of “universal human values” and “international standards” on dependent countries with weak legal systems. Under these conditions, the Russian legal system must not only resist, but also, if possible, help friendly countries to preserve their sovereignty and defend the originality of their legal systems.

Despite the objectivity of the globalization process at the present time and a number of its positive results in global development, global globalism remains indisputable and obvious, affecting the political and legal consciousness of citizens of individual states, their adoption of laws that are pleasing and beneficial to transnational companies. In these laws, there is little room for national legal consciousness, historical legal traditions and legal culture of the people, as new standards are set, dictated by foreign forces such as the International Monetary Fund, the World Trade Organization, the World Bank, etc.

Today, Russia is also included in global processes, its development is taking place under the influence of factors of international importance, under the influence of trends common to the world community. The modern Russian state follows the path of building and strengthening the rule of law. Like other socially oriented states, Russia, using democratic methods of state power, seeks to establish relations of social justice in society, to create an effective mechanism for ensuring the rights and freedoms of the individual, its protection from lawlessness and

arbitrariness. In 1993, the first was adopted and at the moment the only Constitution of the Russian Federation, in part 4 of Art. 15 of which, it is written that the norms of international treaties have priority over the norms of the law of the Russian Federation. Industry legislation also includes rules according to which foreign law can be put by the court as the basis for deciding this or that case within our country. So, part 5 of Art. 11 of the Civil Procedure Code of the Russian Federation states: “The court, in accordance with federal law or an international treaty of the Russian Federation, when resolving cases, applies the rules of foreign law.” In this case, there is an internationalization of domestic law. In legal science, this process is called convergence, mutual enrichment of national law. This is true, if we do not forget about the need to preserve sovereignty, national identity, as opposed to the desire for global homogeneity. This is especially important to remember after Russia’s accession to the World Trade Organization (WTO), Russian legislation is trying to defend national priorities, but this is not always successful, since having signed a number of binding international documents in the 1990s, it is now difficult for it to evade their implementation. Russia became a member of the Council of Europe (in accordance with the PACE resolution of January 25, 1996, Russia's accession to the Council of Europe was procedurally formalized), declared the universally recognized principles and norms of international law as an integral part of the legal system. Russian legislation is gradually being brought into line with international legal standards that recognize the priority of individual rights and freedoms over other values of a civilized society.

In Russia, due to the peculiarities of its state and legal development, the influence of global factors is rather complicated. As rightly noted, in the field of using scientifically verified, historically tested institutions of state and legal construction, Russia lags far behind advanced foreign countries, and yet, the Russian Federation has a different way of development, except to integrate into the rules for organizing public life in civilized countries, in essence, No. Russia, as you know, accepted the liberal idea. Hence the understandable desire of Russia to ensure that its legal system complies with the pan-European level, with the generally accepted standards of democracy.

At the present stage of development of statehood and law, there is a need for a new approach to the very concept of lawmaking, in the search for new criteria for interaction based on the analysis of the possibility of perceiving certain legislative experience in national legal systems, and at the same time on a critical approach to the problem of “standardization” of certain elements lawmaking.

Manifestation of globalization processes in Russian legislation

The impact of globalization on Russian legislation

Globalization has had a tremendous impact on Russian legislation. Under its influence, almost all branches of legislation have been significantly transformed and continue to improve qualitatively.

New branches of legislation have been formed that reflect modern realities (information legislation, arbitration procedure, legislation on enforcement proceedings, etc.). The Russian system of legislation is increasingly approaching the Western model, both in terms of content and quality. And at present, the dynamics of the development of the Russian system of

legislation reflects a movement towards overcoming the crisis caused by the revolutionary nature of Russia's entry into globalization processes, and creating conditions for further integration into the world community.

The entry of the Russian Federation into the processes of legal globalization is a positive, progressive step that creates huge potential prospects (such as integration into the world community as an equal subject, development of political, legal and economic cooperation with various states, balanced development of political, legal, economic, and as well as the social security system as a whole). The series of crises that overwhelmed Russia at the end of the 20th century must be considered as the inevitable costs of a radically transitional stage of relatively isolated development towards inclusion in international globalization processes.

At present, the Russian Federation is still at a transitional stage of its legal development in the context of modern globalization, despite the fact that the President of the Russian Federation in his latest messages to the Federal Assembly of the Russian Federation unequivocally speaks of the end of the transition period and the beginning of the development stage.

A striking example of the impact of globalization on the legal system of a state is the adoption on November 4, 1950, in Rome by ten member states of the Council of Europe (Belgium, Great Britain, Germany, Denmark, Iceland, Italy, Luxembourg, the Netherlands, Norway, France) of the Convention for the Protection of Human Rights and fundamental freedoms and the creation, in order to enforce obligations under the Convention, on 21 January 1959, the European Court of Human Rights to hear complaints of violations of the Convention. The ratification of the European Convention allows all persons under its jurisdiction to apply to the European Court of Justice if they consider their rights violated. This also applies to citizens of Russia, which is confirmed by Article 46 (part 3) of the Constitution of the Russian Federation.

For a deep and comprehensive knowledge of the law that exists and functions in the process of globalization of the world, it is necessary to identify and consider the main trends in its development. This will allow us to better understand the state of law, not only in the present, but also allow us to look a little into the future. It is impossible to consider in detail all the trends in the development of law that are currently being formed and manifested at different levels, so we will consider the most important of them. Namely, those tendencies that are most clearly manifested at the global and regional levels, as well as at the local level (at the level of individual branches and institutions of law). At the global and regional levels, the trend of universalization and unification of law is especially evident. The emergence and development of this trend is based on the process of integration of the world economy, finance, communications, mass media and other means and spheres of society. This process could not but affect both the evolution of law as a whole and the trends of its further development. I would like to agree with the authors' statement that the universalization of law, manifested in the desire to develop a common approach to law, and its unification, which means "the introduction of uniform norms into the legal systems of states," are not new phenomena in the state-legal life of various countries. "Formation and development of law (from its primitive to modern developed forms)," wrote V.S. increasingly global law, and these "historically progressive properties and characteristics of developing law find their expression, consolidation and implementation

(action) both in individual national-state systems of law and in international law.” Especially the trend of universalization and unification of law is manifested at the global and regional levels in such areas of legal regulation as trade, business, the financial sector, etc. At the same time, we are not talking only about the principles of international law – such as the principle of sovereign equality of states, the principle of their territorial integrity, non-interference in the internal affairs of other states, settlement of disputes only by peaceful means and other principles enshrined in the UN Charter (1945), in the Declaration on the Principles of International Law, relating to friendly relations and cooperation among states in accordance with the Charter of the United Nations (1970), in the Final Act of the Conference on Security and Cooperation in Europe (1975), as well as in other international legal documents. However, despite the exclusively formal nature of many legal and non-legal principles on which the various relations that develop between various subjects – participants in globalization are built, the fact remains that general principles, and not specific rules of law, are taking an increasing place and playing an increasingly active role. role in the system of regulatory tools used at the global and regional levels.

It should be noted that the emergence and development of this trend is not spontaneous or accidental, but is due to the course of historical development and the search for the most effective state-legal and other forms of organizing public life. At the same time, the emergence and evolution of this trend is due to a purposeful search for the most appropriate and effective means of regulation that arise at each stage of the development of society and the state of social relations.

So, if in the early and later stages of the development of society and the state, in particular in conditions of feudal fragmentation, custom occupied a significant place among the sources of law in a number of countries, then in a later period, in the conditions of the formation and development of centralized states, custom lost its former meaning, and was gradually superseded by law. Of course, the point is not in the number or variety of legally significant acts concerning human and civil rights adopted over the past decades, but in their practical significance. After all, it is difficult to disagree in this respect with representatives of sociological jurisprudence (E. Erlich, F. Zhenya, K. Llevellin, R. Pound, etc.), who believed that real objective and subjective law should be active, real, “living”. Otherwise, it will not be right but a collection of “dry hieroglyphs of laws” (as E. Erlich characterized it). Nevertheless, despite the formal nature of most legal and human rights acts, they play a rather important role in the life of society and its individual members, which indicates the development of a trend to expand and strengthen legislation relating to the rights and freedoms of man and citizen.

Having finished considering the importance of globalization, it is worth asking yourself the question: “Is globalization good or bad?” Perhaps the word “globalization” has never been heard so often as with the onset of the financial crisis. Since this was both the cause and the way out of it. Therefore, it is difficult to answer the question of whether this is good or bad. But we think it’s bad if some “incomprehensible” globalization has nothing to do with us. And it’s good if we take part in it. That is, we understand that if our thought or action is not perceived indifferently, but falls into the “real field of existing people” who hope, suffer, fear. If each of our steps does not disappear into “nowhere”, but will have a response. And if we start to change our thoughts in this direction, then we will see positive aspects (*Ampilogova, 2013:34*).

Trends in the development of Russian legislation in the context of globalization

The process of transformation of Russian society is reflected in the functioning of many laws of a social and legal nature. Simultaneously with the formation of new socio-economic, political and spiritual prerequisites for building the Russian legal state, the content of the normative material is also being updated, the trends in its improvement and development are changing.

This is the need to strictly ensure the rule of law in all spheres of society; specialization, unification, intensification of legislation; inconsistency and competitiveness of its structures; increase in the array of technical and legal regulations. These trends can be conditionally divided into three large groups. The first group includes: comprehensive strengthening of legislative priority, intensification and striving for stability. The second is the specialization of legislation with its various forms of manifestation: differentiation, concretization, detailing. The third group includes legal unification and its accompanying processes: integration, generalization, universalization, publication of complex regulations.

The central place in the hierarchy of these tendencies belongs to the legislative priority as one of the main ways to effectively ensure the new state policy in the field of the formation of market relations, the worldwide protection of the rights and freedoms of the individual. Comprehensive updating of the legislation carried out today, a kind of cleansing it from routine, clogging and departmental regulation. Such a reconstruction is also due to the need to introduce new methods in the management of the national economy, reforming state-power structures.

The deepening of the specialization of social and economic processes increases the background of legal changes and contributes to the adoption of the most important legislative acts in areas that were not previously covered by legal influence. The value of the law begins to rise in direct proportion to its true role in the life of society and brings the trend of its supremacy to the fore among other directions. However, the level of social return of this trend entirely depends on the successful functioning of the entire set of “subordinate” patterns. It is they who most fully reveal its content, legal nature, forms of manifestation, etc.

In addition, the universal and precise implementation of the law is the foundation of strong state relations between the republics and the center, the priority of the law in relation to other subordinate legal acts. With strict observance, these acts will not be able to formalize the current legislation, turn it into “paper law”. The purpose of their adoption is solely to compete, supplement and develop the content of the law, and therefore they should not go beyond its general meaning.

The intensification of legislation as one of the characteristic features of its modern development contributes to the fact that the legally correct, comprehensive regulation of social relations is carried out both through the issuance of new regulations, and by improving the quality and effectiveness of the current legislation, strengthening its scientific validity. The process of intensification is aimed at maximizing the use of the internal “resources” of the existing legislative array.

The level of intensification largely depends on the subjective factor. This dependence manifests itself in at least two ways. Firstly, in the field of law-making, this is the publication by the competent authority of a normative act that corresponds to the spirit of the times (the so-

called law-making efficiency). Secondly, in the field of law enforcement, this is the competent full-fledged use of a legal act (law enforcement activity) (*Senyakiņ, 2013:57*).

The process of intensification of legislation interacts with the tendency to strengthen its stability, without which it cannot exist as a permanent system of regulation of social relations. Today, this property is highly valued as a kind of legal guarantee of the strength of the course chosen by the state, the prospects of regulated relations. Stabilization is designed to relieve tension in inter-republican relations and ease internal contradictions.

The stability of legislation is ensured by the presence of a number of factors that can be conditionally divided into material and special legal ones. Material factors include: sustainability of socio-economic, state-political and national relationships; timely legislative response to the most important social processes, taking into account the prospective nature of their development; objectivity and validity of the goals of economic transformations; forecasting the need for legal mediation of a particular public sphere in the future.

Special legal factors include the following conditions: compliance of the current legislation with the Constitution of the Russian Federation:

- publication and functioning of by-laws on the basis of and in pursuance of the law;
- a high level of legal intensification;
- perfection of legislative technique;
- legally competent, active use of the adopted normative act.

The rapid pace of socio-economic transformations determines the dynamism of the normative regulation of social relations, taking into account the originality and specificity of their various sides and facets. These tasks are successfully carried out by the trend of its specialization, which is intensively developing in Russian legislation. Its purpose is to legally more fully cover all kinds of changes and novelty of social processes, to be consistent with the peculiarities of their manifestation in certain social spheres, to determine the level of such transformations more qualitatively.

The process of legal specialization objectively reflects the multifaceted course of the development of society and permeates various aspects of our social reality. The origins of the specialization of legislation are the social division of labor, the really legitimized differentiation of power structures, and national-state sovereignty. The prerequisites for the specialization of legislation can be divided into socio-economic, power-administrative and legal.

The purpose of the process of specialization of legislation is that both in the system of law and in the system of legislation, a “division of labor” between prescriptions occurs and intensifies, as a result of which individual norms and their complexes begin to specialize in the performance of certain operations. They reflect the uniqueness of social relations, the specifics of specific circumstances, and in their totality form the legal basis for the process of specialization, being called special.

Today, specialization covers the entire legal array and affects both the form and the content of legislation, where the following types have been identified: subject (industry), functional, regional and mixed. Each variety outlines a certain section in the system of legislation, influencing its content and structure in its own way. And the more accurately the process and

result of specialization are reflected in legal prescriptions and normative acts, the higher their truth and more efficient implementation.

In addition to self-development and self-expression, the specialization of legislation has a positive impact on its other tendencies. So, it will give the stability process the property of flexibility, making it more dynamic. Through its vertical orientation, specialization ensures the intensification of a full-fledged “workload”, contributes to the optimal, high-quality return on the content of a certain legal act. The process of specialization covers with its influence the entire layer of the legal system: law-making, legal relations, legal responsibility, law enforcement practice, etc.

Unification of legislation is a trend opposite to specialization, the meaning of which is the accumulation of similar prescriptions and the creation of legal acts that would simplify legislation, making it accessible and uniform. With the help of unification, inconsistency in the structure of the mechanism of legal influence is overcome, its oversaturation is eliminated, unjustified disunity and inconsistency in law enforcement are eliminated. That is why unification is one of the effective ways to combat the excessive complexity of legislative regulation in various areas (*Senyakiy, 2013:60*).

And although unification acts as the antipode of specialization, these two phenomena are closely interconnected and form the main directions of the process of progressive development of the entire system of modern legislation. The mobility of its borders to a certain extent affects the quality and effectiveness of the regulatory mechanism, in which opposite tendencies sometimes collide. These opposites are based on dialectical contradictions of both socio-economic and legal nature.

The first group of contradictions includes: the inconsistency of production relations with the nature of the productive forces; the gap between production and the needs of citizens, the cost and price of goods, between the requirement of objective economic laws and their subjective awareness in the management process; property inequality, etc. However, economic contradictions are not isolated. They have a noticeable impact on the internal processes of legislation and are found between its essence and content, form and content, within the very essence, etc.

Thus, the current trends in the development of Russian legislation represent a complex and rather contradictory system of its various directions for the regulation of multifaceted social relations.

Interaction of international and domestic law in the context of globalization

The current stage of the development of civilization, as it seems, requires the search for adequate mechanisms for the interaction of countries and peoples, the convergence of state-legal systems. International law is now one of the most important factors ensuring the more or less stable existence of human society. It must be admitted that the role of law in general is increasing in the context of globalization and the threat of global problems of our time. “Against the backdrop of escalating local conflicts and common problems, there is a widespread awareness of the need to develop a constructive dialogue and joint search for ways to overcome the accumulated contradictions. The most preferable in this situation are precisely the

international legal mechanisms that imply the coordination of the actions of the subjects and the search for a compromise in decision-making (*Ralko, 2009:315*).

The world community today needs a higher level of management of social processes. The most acute threats of the beginning of the 21st century – international terrorism, national and religious conflicts, corruption, drug trafficking, human trafficking and others can only be neutralized by the solidarity efforts of the entire progressive society, based on the instruments of international law.

One of the objective laws of the development of law at the present stage is the deepening of the interaction between international and domestic law, which, in turn, leads to the internationalization or homogenization of the latter. In the context of globalization, the legal systems of different states must be compatible and able to interact with each other. This can be achieved both by recognizing the priority of international law over national law, and by improving domestic law under the influence of international law.

It should be emphasized that the norm of international law acquires legal force only after the state, being sovereign, gives it legal force. This process is carried out in accordance with the provisions of the constitution or other legislative acts of the state. For example, paragraph 4 of Art. 15 of the Constitution of the Russian Federation establishes that “generally recognized principles and norms of international law and international treaties of the Russian Federation are an integral part of its legal system. If an international treaty of the Russian Federation establishes rules other than those stipulated by law, then the rules of the international treaty shall apply (*Manov, 2008:186*). Thus, at the constitutional level, the nature of the relationship between international and national law was determined.

Currently, many states adhere to the principle “international law is an integral part of the law of the state.” The inclusion of this provision in the Constitution of the Russian Federation testifies to the desire of the Russian state for openness, reflects the current trend towards expanding the interaction of domestic law with international law.

At the same time, in raising the level of organization of the social system of the Russian state and the degree of its manageability, in solving social problems and contradictions of our time, the role of domestic law is significantly increasing. Because of this, lawmaking at the national level is strongly influenced by generally recognized norms and principles of international law. It is safe to say that the need to bring Russian legislation into line with the international obligations of the state has driven the entire legislative process in the past two decades. There are many examples of this, the most striking of them are the new Criminal and Criminal Procedure Codes of the Russian Federation. Today, many branches of Russian national law have “sprouted the norms of international public law”. Therefore, it must be recognized.

Globalization, however, is fraught with threats, in particular, the loss of national legal culture, its ideals, values, which can lead to the formation of a homogeneous legal system. It seems that globalization cannot be understood in a simplified way as the standardization of national legal systems. Globalization does not mean that the legal systems of all countries will be rebuilt, moreover, according to the Western model. But there are fundamental principles, norms, the observance of which by all subjects of international law will contribute to ensuring the general rule of law and mutual consent. “In the conditions of the versatility of the world, the coexistence of a huge variety of cultures and civilizations, their peaceful interaction can only

be ensured by the principles of the rule of law, human rights and freedoms and, no less important, tolerance.” (Bykova, 2008:325) The UN Millennium Declaration states: “Differences within and between societies should neither be feared nor suppressed, they should be protected as a valuable contribution to human civilization. A culture of peace and dialogue among all civilizations should be actively promoted.” Thus, international law itself, which is developing in the context of globalization, emphasizes the importance of preserving national identity.

In the modern world, there are many legal values that are understandable to most people, regardless of their national, cultural, religious affiliation, which determines the similarity of numerous legislative trends in various branches of law in different countries of the world. The implementation of these provisions at the international level makes it possible to ensure international order and stability, and not a unipolar world governed by the principle of force (Zorkin, 2007:245). Therefore, globalization in the legal sphere, in my opinion, is a positive phenomenon. The trend of increasing importance of international law and its influence on national law will contribute to ensuring the stability of the rule of law and strengthening the role of law as a social institution as a whole. The normal functioning of the international system as a whole depends, in turn, on domestic law. Its lagging behind the requirements of the times, contradicting the universally recognized norms and principles of international law, can give rise to serious international consequences.

Conclusion

Globalization is changing our world radically and faster than any revolutions and wars, of which there have been quite a few in the entire history of mankind.

By integrating the world in a very specific way, it, on the one hand, promotes the exchange of advanced progressive experience, including legal experience, opens up great prospects for the formation of a single world community based on the principles of respect for state sovereignty, mutual support, and a unified solution of pressing problems, opens up opportunities for simplification and intensification interstate interaction. On the other hand, integration efforts do not always lead to the theoretically desired unifying result, often giving rise to irreconcilable contradictions.

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Features of the development of the electoral law of Great Britain in the 19th century

Abstract: The article is devoted to the peculiarities of the development of the electoral law of Great Britain in the 19th century. The prerequisites for changing the electoral legislation, the socio-class basis of their implementation, as well as the rivalry of the liberal and conservative parties in the framework of the reform promotion are considered. The author analyzes this topic as a stage of formation of the modern electoral system of Great Britain. The purpose of the study was to identify general trends in changes in English electoral legislation. In the course of the study, historical and comparative methods were used to achieve the goal and solve the tasks set. The research used scientific works and works of specialists in the history of state and law S.Yu. Danilova, P.N. Galanzy, S.A. Chibiryaeva, N.V. Mikhailova, etc. The main sources of studying the history of the development of the electoral law of Great Britain in the 19th century are the normative legal acts of the corresponding period. The author concludes that the electoral reforms of this period are the stage of formation of a democratic society in the UK.

Keywords: electoral legislation, parliament, voters, bourgeoisie, reforms, electoral law.



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Особенности развития избирательного права Великобритании в XIX веке

Аннотация: Статья посвящена особенностям развития избирательного права Великобритании в XIX веке. Рассматриваются предпосылки изменения избирательного законодательства, социально-классовая основа их проведения, а также соперничество партии либералов и консерваторов в рамках продвижения реформы. Автор анализирует указанную тему как стадию становления современной избирательной системы Великобритании. Целью исследования было выявление общих тенденций изменения английского избирательного законодательства. В ходе исследования для достижения цели и решения поставленных задач применялись исторический и сравнительный методы. В исследовании использовались научные труды и работы специалистов по истории государства и права С.Ю. Данилова, П.Н. Галанзы, С.А. Чибиряевой, Н.В. Михайловой и др. Основными источниками изучения истории развития избирательного права Великобритании в XIX веке являются нормативно-правовые акты соответствующего периода. Автором сделано заключение о том, что избирательные реформы указанного периода являются стадией становления демократического общества в Великобритании.

Ключевые слова: избирательное законодательство, парламент, избиратели, буржуазия, реформы, избирательное право.



Introduction

The electoral system is an integral part of a democratic society in which the principles of electability of higher and other authorities are actively implemented. The formation of the electoral system is an extremely long and complex process. It consists of both the global principles of the development of electoral law and the peculiarities of national mentality and legislation. Of course, one of the most revealing stories of the formation of electoral systems is the history of the formation of the electoral law of Great Britain. This article will consider a specific stage of its development – the 19th century.

The relevance of this topic lies in the study of trends in the development of electoral legislation in England, explaining some of its modern features.

The subject of study in the framework of this study is the regulatory framework of the electoral legislation of Great Britain of the 19th century, as well as the political conjuncture.

The purpose of this study is to identify common historical features of the development of suffrage in the UK.

The objectives of this study are to study the prerequisites for changes in electoral legislation, the socio-class characteristics of Great Britain, the peculiarities of the electoral reforms of 1832 and 1867, which laid the foundation for the formation of universal English suffrage, which is valid to the present. Historical and comparative methods were used in this study.

The main research was the works of such researchers of the history of state and law as S.Yu. Danilova, P.N. Galanza, S.A. Chibiryayeva, N.V. Mikhailova, E.V. Milekhina, O.A. Omelchenko, I.A. Senchenko.

Prerequisites for electoral reforms

At the end of the 18th and beginning of the 19th centuries, the reforms of the system of state and law of Great Britain had a significant socio-economic basis. During this period, there is an intensive growth of industry, as a result of which small craft industries disappear, which are replaced by large industrial centers. By far, the most significant growth was observed in the capital of Great Britain – London. As a result of such rapid development, there was a significant increase in the number of classes characteristic of the capitalist formation, namely the bourgeoisie and the proletariat, which is a characteristic sign of an industrial revolution (*Danilov, 1999*).

In parallel, the agrarian revolution took place. Small land tenants were gradually replaced by large capitalist (farming) farms. The predominant segment of the population in rural areas are farmhands, exploited by large farmers and landlords.

So, the industrial revolution and the agrarian revolution significantly changed the class structure of society. In the village, in fact, there were three classes: landlords, tenants and farmhands. A class of industrial bourgeoisie and a class of proletarians were formed in the city.

By the 19th century, significant changes had taken place in English politics. Due to significant changes in the social structure of society, the social base of the main political parties – the Tories and Whigs – has also changed. The Tories were the party of the landlords and the

financial bourgeoisie, the bearers of historical tradition, conservatism. Despite the fact that these categories of the population as a whole did not oppose sufficiently progressive reforms, they tried to preserve the largest number of old elements. The basis of the Whig Party was the industrial bourgeoisie. It can be concluded that the struggle between these parties for political influence actually reflected the rivalry between the industrial bourgeoisie and the union of landlords and the commercial and financial bourgeoisie.

These parties alternately turned out to be leaders in English politics during the 18th century, in fact remaining the only parties. From the “Glorious Revolution” until the middle of the 18th century, the Whigs dominated the parliament. In 1783, the Tories made up the majority of the House of Commons. The Great French Revolution helped to strengthen their dominance, which discouraged the English bourgeoisie from seeking radical changes. The Tories ruled until 1830.

While holding power for a long time, the Tories sought to make changes to the system of public authorities, increasing the influence of the executive branch, in particular the royal one. The King, as before, had a large number of formal powers: he was the commander-in-chief of the armed forces, solved issues of war and peace, represented the state in the international arena. He appointed and dismissed ministers, could prematurely dissolve the House of Commons, appoint new members to the House of Lords (*Chernilovsky, 1995*).

However, in reality, the king could not exercise any of his many prerogatives. According to the provisions of the unwritten English Constitution, there were norms in the UK that actually deprived the monarchy of almost all powers.

The composition of the Cabinet of Ministers was a structure determined by the parliamentary majority. This fact significantly strengthened the position of the Cabinet members in relation to the king, and also allowed the Parliament to exercise control over the activities of ministers.

Consequently, it can be concluded that the leading element in the political system of Great Britain was the parliament. The House of Commons had a special status in its structure – it was through this body that the cooperation of the bourgeoisie and the aristocracy took place. However, the electoral system in force until the beginning of the 19th century ensured the dominance of the landed aristocracy in the House of Commons, which became the reason for the struggle for the reform of the electoral law.

Electoral reform of 1832

The Napoleonic Wars had an extremely negative impact on the UK economy. Exports of goods declined, which led to an increase in unemployment. In addition, the prices of bread and other agricultural products have fallen. The large landed aristocracy feared that the import of bread to Great Britain would further significantly reduce the price of it, as a result of which land rents would also fall. To prevent such a development of events in 1815 Parliament passed a number of “bread” laws prohibiting the import of bread to Great Britain if the price of grain fell below 80 shillings per quarter, and in the future the price was further reduced, which effectively eliminated the possibility of importing bread. Industrial and agricultural workers interested in making bread cheaper began to fight against the grain laws. The English industrial bourgeoisie was also hostile to these laws, since high prices for bread ensured its main rivals,

the landlords, dominance in parliament, and also did not allow workers to reduce wages. (*Galanzga, 1963*)

As a result of rising food prices, the UK was gripped by popular unrest. In 1817, the Habeas Corpus Act was temporarily suspended, and repressions were carried out. However, with the introduction of this law into force a year later, popular unrest resumed.

Thus, the petty bourgeoisie and the workers demanded the democratization of the political system and the introduction of universal suffrage. The movement for electoral reform was also supported by the industrial bourgeoisie.

Since the 1820s, there has been a significant increase in trade and production, which was primarily due to the emergence of new markets in South America. Many changes took place in the life of the workers: there was an increase in wages, and in 1824 the law prohibiting unions of workers was repealed. As a result of the repeal of this law, new structures began to appear in society – trade unions, that is, associations of workers to develop common acceptable working conditions, mutual assistance within the association.

At the same time, the struggle for electoral reform begins. The first changes in the electoral legislation took place in 1829, when Catholics were allowed to participate in elections and be appointed to public positions. The next bill on parliamentary reform was prepared in 1830 by the Whigs. This act was quite moderate, it focused on the redistribution of seats: only the large and middle bourgeoisie could claim seats in parliament. This bill did not find support from the Tory Party, whose representatives considered it revolutionary. However, the appearance of armed workers ready to fight for electoral reform on the streets made it possible to realise this reform. The House of Lords had to give in, and in June 1832 the Reform Bill was approved. This bill deprived 56 “rotten places” of the right of representation in parliament, and 30 “rotten places” could henceforth send one deputy to parliament instead of two. Large industrial cities received the right of parliamentary representation. That is, we can say that there has been a significant redistribution of seats in parliament.

The law granted the right to vote to men who had reached the age of 21, who paid a tax on the poor and had real estate (in counties – land, in cities – a building) giving at least 10 pounds sterling of annual income (*Sizikov, 1999*).

As a result of the reform, land tenants (previously deprived of the right to vote) with an annual rent of at least 50 pounds sterling received the right to vote. The settlement qualification was established - 6 months. Despite the fact that the property qualification was not very high, the law provided for another condition: voters had to pay a tax on the poor, which was paid only by the owners. Workers who paid rent for housing of 10 pounds and even higher could not become voters.

Thus, the electoral reform of 1832 ensured the representation of the industrial bourgeoisie in parliament, while the landed aristocracy retained seats in the state apparatus, that is, the reform was also a compromise. This reform followed the traditions of the feudal representative monarchy and turned the House of Commons into a full-fledged bourgeois parliament (*Chibiryeva, 2002*). Thanks to changes in the composition of the parliament, the dependence of the Cabinet of Ministers on the royal power was reduced, not only the large landed aristocracy, gravitating towards the king, now participated in its formation. The principle of “responsible government”, developed in the 18th century, was fixed, which was due to the transfer of

ministerial power into the hands of the party, which had a parliamentary majority. Thanks to the development of the principle of responsible government, a special status of the crown was formed during this period: the king reigns, but does not rule. This provision formed the basis of the English constitutional monarchy.

An important consequence of the reform of 1832 was significant changes in the essence of political parties. The former names of the parties lost their meaning, and the Tories were renamed the Conservative Party, the Whigs - the Liberal Party. After a while, liberalism and conservatism turned into powerful political currents, which contributed to the development of the state system of bourgeois society (*Senchenko, 2005*).

The structure of the parties has also undergone changes. After the adoption of the reform, it became necessary to register voters, compile electoral lists, which contributed to the organization of primary party organizations on the ground.

The reform of 1832 significantly changed the structure of the state apparatus. For example, in the Ministry of Finance, positions that were introduced in the Middle Ages were abolished; the Naval Ministry was significantly simplified, the role of the Ministry of the Interior and the Ministry of Commerce was strengthened (*Livantsev, 1986*).

The reform of local self-government bodies was not left aside, in particular, city councils were created that solved local issues and were elected by the city's population. However, this regulatory framework did not cover counties and parishes, where the structure of local self-government bodies differed significantly depending on the territorial feature (*Mihailova, 2008*).

Thus, the electoral reform of 1832 laid the foundations for the suffrage of English bourgeois society. As a result of the reform, the large industrial bourgeoisie gained significant political power within the British Parliament. However, it is worth noting that the reform was not revolutionary, but rather of a compromise nature.

Electoral reform of 1867

In the 1850-60s, political domination passed to the industrial bourgeoisie. The House of Commons, which had the largest representation of the industrial bourgeoisie, gained a leading role in the political system of Great Britain, reducing the roles of the House of Lords and the royal power. However, it is worth noting that as part of the electoral reform of 1832, only the top of the industrial bourgeoisie received access to parliament.

At the end of the 1840s, the Conservative party declined due to the split that occurred within it, for a long time the initiative passed to the Liberal party. The statesmen who headed this party were ready to make concessions to the middle and petty bourgeoisie in order to achieve the common goals of the Liberal party. However, the expansion of the electoral reform was perceived by them at that time as premature.

Significant and diverse forces have united to fight for a new electoral reform. The bourgeoisie, possessing economic power, sought to gain political dominance by expanding parliamentary reform.

Due to the decline of the Chartist movement, the workers' movement in Great Britain lost its independence, and it was also limited exclusively by legal methods of fighting only for economic demands. It was during this period that the leading organization of trade unions was fully formed-professional workers' unions, which included well-paid highly skilled workers in

their composition. The Trade Union Council did not want to join the political struggle and had no political program, but under the pressure of the working masses it was forced to allow the participation of workers' organizations in the struggle for a new electoral system. The active participation of workers has added strength to the movement for new electoral reform. In order to influence entrepreneurs in resolving economic disputes, the workers' unions sought to increase the number of workers-voters. Both parties, under the influence of popular movements, realized the need for electoral reform, intercepting each other's initiative to carry it out. In the end, the draft proposed by the head of the conservative cabinet B. Disraeli was adopted, with amendments put forward by the radical part of the liberals.

The reform of 1867 provided for a new redistribution of parliamentary seats: 11 "seats" were completely deprived of the right to choose deputies to the House of Commons, and 35 "seats" retained the right to choose only one deputy. The vacant mandates were transferred to the largest industrial cities and counties (*Omelchenko, 2000*).

The suffrage of urban residents has changed significantly: it was granted to all owners or tenants of houses who pay tax in favor of the poor, and tenants who pay at least 10 pounds of rent per year (with a one-year residency qualification).

In the counties, landowners with at least 5 pounds of annual income, as well as tenants or owners of premises with a yield of at least 12 pounds, received the right to vote.

An extremely important innovation was the reservation that the direct payer of taxes in favor of the poor is also considered to be the one who, like all the numerous tenants of small apartments, pays this tax not himself, but through his landlord, who has so far been considered as the only taxpayer. Thanks to this, not only homeowners, but also all their tenants were included in the electoral lists. Thus, the electoral lists expanded at the expense of the petty bourgeoisie, artisans and workers.

As a result of the reform of 1867, the total number of voters increased by more than a million. However, 2/3 of the male population of England (the bulk of the workers, not to mention women) were still disenfranchised. Open voting was maintained until 1872. The old, uneven distribution of electoral districts also persisted.

Through electoral reforms, there was a redistribution of power within the ruling elite, and the industrial bourgeoisie came to power in an evolutionary way, without any serious upheavals. Liberals and conservatives strengthened their positions and did not allow an explosive situation (*Milebina, 2002*).

Thus, it can be concluded that the electoral reform of 1867 largely corrected the shortcomings of the electoral reform of 1832. The number of voters was significantly increased, which allowed the small and middle bourgeoisie to have their own representation in the British Parliament, which, of course, became the next stage of the democratization of English society.

Discussion

The topic of changes in the electoral legislation of Great Britain in the 19th century is relevant due to the fact that within the framework of the reforms given in the study, qualitatively new foundations of English democracy were laid. It is important to note that the principles developed in the regulatory framework of that period laid the foundations not only of the bourgeois stage of the development of Great Britain, but also to a large extent of the modern

stage. The problems of this topic are manifested in the question concerning the degree of influence of the principles developed during this period on the further development of democracy in the UK. Did these electoral reforms correspond to the development of English society at that time? How great is the influence of the principles of electoral law developed in the 19th century on the modern electoral system of Great Britain?

Conclusion

Thus, it can be concluded that during the 19th century, the English electoral system underwent significant changes, which, of course, contributed to the democratization of English society. In many ways, these reforms laid the foundations for modern universal suffrage, both in the UK and around the world. Within the framework of the study, the socio-class foundations of electoral reforms were identified as a feature of the development of the electoral law of Great Britain in the 19th century, which indicates the achievement of the research goal. Attention was also paid to the prerequisites for reforming the electoral system, the electoral reforms of 1832 and 1867 in the framework of solving the research tasks.

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Constitutional and legal responsibility as a social institute for the regulation of public relations

Abstract: Constitutional and legal responsibility as a type of legal responsibility is an important social institution not only in the Russian Federation, but also in the rest of the world. Domestic science of the theory of law has been considering and studying this institution for decades, arguing and discussing its various aspects. That is why further study of this type of responsibility, taking into account international experience, is relevant to this day. The main object of the article is to consider and analyze the constitutional and legal responsibility. The tasks are to disclosure of the concept and content of legal liability; study and analysis of scientific works of legal scholars in the field of research; designation of the main elements of legal responsibility in general and constitutional and legal responsibility, in particular; disclosure of the legal nature of constitutional and legal responsibility; identifying the features of the institution of constitutional and legal responsibility. Methodological basis constitutes general scientific methods of cognition: structural, logical, comparative legal, system-structural.

Keywords: responsibility, law, state, regulation, problems, constitutional.



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Конституционно-правовая ответственность как социальный институт регулирования общественных отношений

Аннотация: Конституционно-правовая ответственность как вид юридической ответственности является важным социальным институтом не только в Российской Федерации, но и в остальном мире. Отечественная наука теории права на протяжении десятков лет рассматривает и изучает этот институт, споря и дискутируя о разных его аспектах. Именно поэтому дальнейшее изучение данного вида ответственности, с учетом международного опыта является актуальным и по сей день. Основная цель статьи – рассмотреть и проанализировать конституционно-правовую ответственность. Задачи статьи – раскрытие понятия и содержания юридической ответственности; изучение и анализ научных трудов ученых-юристов в области исследования; обозначение основных элементов правовой ответственности в целом и конституционно-правовой ответственности, в частности; раскрытие правовой природы конституционно-правовой ответственности; выявление особенностей института конституционно-правовой ответственности. Методологическую основу составляют общенаучные методы познания: структурный, логический, сравнительно-правовой, системно-структурный.

Ключевые слова: ответственность, право, государство, регулирование, проблемы, конституционный.



Introduction

Since ancient times, any state has striven and strives to maintain a certain order on the territory on which it is located, which makes it possible to successfully manage internal affairs and regulate relations between citizens and the state. It seeks to streamline these relationships, using the right and forcing out behavior that violates the order established in society. Thus, the state establishes responsibility for illegal behavior that undermines the legal regime, social relations and a stable way of life of citizens, causing enormous harm to the rights and interests of a person and a citizen.

Legal responsibility is of paramount importance among the institutions of any legal system, is one of the main elements of the mechanism of action of the rules of law. Therefore, the problem of defining and studying legal liability is still relevant today. The rapid development of the rule of law, focused on social policy and civil society, the development of democratic foundations leads to an increase in the responsibility of the state, all state institutions, as well as society itself, which is also an indicator of the relevance of studying this topic, which plays an important scientific and practical role.

The Basic Law of the Russian Federation, in accordance with Article 2, establishes rights and freedoms for every person, stating that the protection and protection of recognized human freedoms is one of the primary duties of the state acting as their guarantor. At the same time, the text of the Constitution contains the consolidation of the rule that the realization of the rights and freedoms of one individual should not interfere with the realization of the rights and freedoms of another, or in any way violate them. The main method of regulation in this area is legal responsibility, recognized as a measure of state coercion available in resolving issues of public life.

Among domestic legal scholars, the topic of legal responsibility was touched upon by D.N. Bakhrahom, O.E. Leistom, Yu.A. Denisov, N.I. Matuzov, V.M. Manokhin, I.S. Samoshchenko, V.M. Baranov, S.S. Myalkovsky, E.V. Gryzunov, I.N. Tikhonenko and others. The works of the above scientists have not lost their significance to this day, but with the development of legal relations, the institution of legal responsibility also develops, so work in this direction should not stop. In addition, in the Soviet period, the interpretation of the institution of legal responsibility by learned lawyers within the framework of the state ideology and legislative norms of the political and legal regime of the USSR differed in many respects from the world scientific community. This gave rise to a certain backlog of the Russian science of the theory of state and law from the legal school of Western colleagues.

At the legislative level, issues of constitutional and legal liability are regulated by decrees of the President of the Russian Federation, resolutions of the State Duma of the Federal Assembly of the Russian Federation, resolutions and rulings of the Constitutional Court of the Russian Federation related to issues of constitutional and legal liability.

In our time, at a time when the Constitution of the Russian Federation is the main element in the formation of a legal, socially oriented state, constitutional responsibility for offenses attracts everyone's attention.

The need for high-quality and effective protection of constitutional principles poses new challenges for science in developing problems of legal liability.

The study object is constitutional and legal responsibility in Russian legislation.

The study subject is the specifics and features of constitutional and legal responsibility.

The study purpose consists in opening a detailed picture of the legal institution of constitutional and legal responsibility operating in the Russian Federation.

Scientific novelty of the research consists in a comprehensive analysis of constitutional and legal responsibility in the Russian Federation. The paper reveals the main characteristics, principles on which the legal institution is based, the functions and tasks that the state sets for itself, introducing the institution of constitutional and legal responsibility. Individual features are determined that allow distinguishing constitutional and legal liability from related forms of legal liability. The modern problems of the legal institution and the implementation of its main functions in the system of law are indicated.

Methodological basis constitutes general scientific methods of cognition: structural, logical, comparative legal, system-structural.

Article structure defined by its purpose and objectives, includes an introduction, two chapters, divided into paragraphs, revealing the essence of the research topic, a conclusion and a list of sources used in the work.

Concept and content of legal responsibility

The rights and freedoms of a person and a citizen of the Russian Federation, recognized as fundamental and guaranteed by the state, should not only be normatively fixed in the country's fundamental law, but also in practical activities should be provided and protected by the state. It is also necessary to have a mechanism to ensure their implementation. For the successful implementation of the designated state functions, it is necessary that a functioning institution of legal responsibility be created in the state. This legal institution acts as a protective mechanism for human rights and freedoms and is a link between society and the state, guaranteeing constitutionality, law and order.

Responsibility is the main element used in law enforcement practice; responsibility has always been determined taking into account historical, economic, social, political, ideological factors (*Vengerov, 2019*). This is a separate connecting link of the elements of society, one of the initial institutions for the organization of social life.

Analyzing the concept of responsibility, we can conclude that this term is used in the legal sphere in a variety of senses. Legal responsibility is usually divided into political, social and moral.

The term social responsibility is used to refer to the totality of all types of legal responsibility. Social responsibility has the following forms of its implementation: moral and legal, religious and political.

Research in the definition of the concept of legal responsibility has been carried out by scientists and philosophers since ancient times.

The general theory of legal responsibility helps to study in more detail and fully the social nature of legal responsibility as one of the types of social responsibility within the framework of relationships in society, subjects of public relations and the state, and also contributes to the disclosure of the purpose and features of legal responsibility that distinguish it from other similar legal institutions.

In the legal literature, the authors provide various definitions of the institution of legal responsibility. So, M.N. Marchenko proposes to consider legal liability as an obligation for citizens and legal entities to comply with legally established regulatory requirements, for failure to comply with which the state provides for the onset of negative consequences for the violator, expressed in property deprivation or relating to personal freedoms (*Marchenko, 2018*).

V.S. Narseyants, speaking on this topic, proposes to consider legal responsibility as a state mechanism of coercion, which is implemented in cases of offenses and in the forms provided for by the relevant legal norm on a particular legal relationship and in accordance with the procedural order established by law. As the main principles of the mechanism under consideration, the author names legality, legality, legal expediency, validity, inevitability, fairness and inadmissibility of repeated liability for one offense (*Narseyants, 2014*).

Another definition of legal liability is offered by N.I. Matuzov, designating this institution as the presence of an inevitable need established at the state level for a person guilty of committing offenses to be involved in certain measures of influence and the onset of negative consequences for him in the form of depriving the guilty person of the benefits provided for citizens and the individual. Among the basic principles, the author includes legality, justice, humanism, validity, inevitability, and supplements the presumption of innocence as a mandatory condition (*Kozhevnikov, 2021*).

O.E. Kutafin defines the type of responsibility under consideration as a negative form of feedback from the state in response to an offense committed by the subject, which is implemented in the form of measures of influence provided for by the state (*Kutafin, 2017*).

Taking into account the various options for determining legal liability offered by the authors in the scientific literature, it can be concluded that, as a general rule, legal liability should be understood in a combination of approaches:

- 1) consider the phenomenon from the point of view of the response of the state to the offenses committed by the person;
- 2) study the institution of responsibility as a special form of legal relations that develops in the event of a violation by the subject of legal norms and is realized in the form of negative consequences for the violator.

There is no legislative definition of this concept, and a large number of points of view on the topic of its definition is explained by “a variety of methods in the study and analysis of the phenomenon of legal liability, in emphasizing any individual properties or signs of legal liability in general or its individual types”. Based on the foregoing, it is considered appropriate to formulate a definition of legal responsibility in the form of an individual's obligation to undergo hardships, adverse consequences determined by law, for their own unlawful behavior through the use of coercion by the state, which is expressed in the form of some kind of hardship for the offender, designated by law as acceptable.

Legal responsibility is also considered in two aspects: positive and negative.

In the literature, legal responsibility is more often defined as negative (retrospective) responsibility, despite its various interpretations: this responsibility cannot be defined otherwise than as an offender experiencing adverse consequences, an established form of state coercion. The application of the sanction of a normative prescription to a person who has violated the requirements of the norm is identical with the onset of a legal obligation for him, and holding him accountable for the committed act, expressed in the deprivation of the offender of benefits of a property or psychological nature.

Positive legal responsibility comes from the legal obligation of a person to observe positive behavior that is beneficial to society and receives implementation in regulatory legal relations, where the person is controlled and accountable. In other words, in a positive sense, legal responsibility comes from the fact that a person is aware of his duty to society, the state and assumes responsibility for the consequences of his lawful behavior.

Legal liability arises as a result of a person committing an offense. Violation of the right is a fact that puts a person in a certain legal relationship with the state, where the state represented by state bodies is the authorized party, and the person who committed the offense is the obligated party. In these relations, the parties act within the framework established by regulatory enactments, and the application of legal liability to participants in legal relations is implemented in accordance with the rules of law and the specific sanctions contained therein.

Legal liability is terminated on the basis of a certain legal fact, this fact may be the completion of punishment, the expiration of statute of limitations, amnesty, etc.

Features, principles, objectives and functions of legal responsibility

The characteristic features of the institution of legal responsibility include: coercion by the state apparatus, public condemnation of criminal behavior and the subject whose guilt was established, the irreversibility of adverse consequences for the offender. This type of liability is associated with deprivations specified in the rule of law, and which the offender is obliged to endure for his illegal actions. These can be property deprivations (fines, etc.), personal deprivations (imprisonment).

The foundation of legal liability is its principles:

- principle of justice: responsibility and coercive measures implemented in relation to the offender must be fair, that is, depending on the degree and type of the offense, correspond to the circumstances under which the crime was committed and be consistent with the personality of the guilty subject, however repeated prosecution for the same act is allowed;
- the principle of legality: liability arises only for those illegal acts specified in the law and for which the law provides for liability, the application of measures of influence is implemented in strict accordance with the rules for conducting legal measures that are part of the institution of legal liability, and the fact that a person has committed a criminal act must be established in accordance with the procedural requirements of the law;
- responsibility for guilt;
- the principle of expediency: giving coercive measures of an individual character in accordance with the severity of the committed criminal act, the characteristics of the

personality of the perpetrator, establishing options for mitigating punishments or waiving sanctions in cases where it is impossible to achieve justice in any other legal way;

- the principle of the inevitability of responsibility: no violation of the law should go unnoticed, the application of measures of state coercion should be carried out quickly and efficiently;
- the principle of timeliness – the execution by a person who has violated the law of liability measures and bringing the subject to legal liability is possible only within the period established by law. Legislative regulation of the periods of bringing subjects to responsibility increases the efficiency of the entire institution of legal liability, determining the most effective period for the execution of sanctions orders.

An analysis of the legal doctrine allows us to conclude that there is no consensus among jurists regarding the goals of implementing legal liability. So, among the goals of the institution of legal responsibility, domestic civilists include the establishment of the rule of law in the state, the prevention of offenses in various spheres of public life, and the reduction of the degree of damage caused to the state and society by the illegal actions of violators.

It seems that the central place in the system of the expediency of establishing and implementing legal liability is occupied by the correction of the behavior and life of the offender, his view of illegal actions. The goal should encourage the offender to change for the better, since offenses in general cannot be eliminated by compensating for the damage caused, the legal consciousness of offenders should be changed, this is the only way to prevent a violation of the law.

Basically, the opinions of scientists agree that the primary goal of legal responsibility is the protection of state law and order, as well as the prevention of crime in society and the education of citizens in respect for the law.

In accordance with the named goals of the legal institution of legal responsibility, its main functions are formed:

- 1) repressive-punitive – the use of special forms of state coercion, this function is important in the prevention and fight against the most serious offenses;
- 2) preventive-educational – the use of measures of a coercive-educational nature, the influence of public censure of offenses plays an important role for this function;
- 3) remedial and compensatory – restoration of the violated rights and interests of a person and a citizen, compensation for losses.

The law enforcement agencies of many states pay considerable attention to the policy of intimidation (the function of intimidation). The policy of deterrence should perhaps be considered as a separate function (function of deterrence) because all procedures related to legal liability have a psychological impact on the offender.

It should be noted that when analyzing the types of legal responsibility, in two of them (disciplinary and material), state coercion in its usual sense as the impact of state bodies is absent. This can be explained by the fact that the state, although it fixes such norms and types of responsibility as disciplinary and material, but the external influence of state bodies is not carried out, this function rather falls on the shoulders of the employer.

The opinion of some scholars that legal responsibility is to some extent a punishment seems reasonable, if we conclude that the institution of legal responsibility is one of the types of state coercion.

Many states go the way of intimidating offenders, but, in my opinion, it would be much more effective to use the educational function of legal responsibility, to find a connection between the responsibility that has come and the person's internal attitude to the deed, to awaken sincere repentance.

Thus, further activities should be carried out to improve the system for applying legal liability. The main task of the institution of legal responsibility is to protect the rights and freedoms of man and citizen, to ensure public order, the achievement of which requires regular improvement of the methods of applying responsibility.

Theoretical aspects and basis for the origin of constitutional and legal responsibility

One of the varieties of legal liability is constitutional and legal liability, which differs from other types in a number of features.

The basis of constitutional and legal responsibility is one of the main features. The reason is an indent, non-observance of a directly defined model by constitutional and legal norms. In order for the foundations of constitutional and legal responsibility to arise, certain circumstances must exist.

In the scientific literature, the following three grounds for constitutional and legal responsibility are distinguished: normative grounds, factual grounds, procedural grounds. If there are all grounds, then constitutional and legal responsibility comes in strict sequence. There must be a legal act that has a rule of law, which specifies certain conditions and legal consequences. Further, the factual basis in which the subject of public relations commits an actually unlawful act that runs counter to the norms of constitutional law.

In modern times, there is an active formation of the institution of constitutional responsibility, which is facilitated by the decisions taken by the bodies of the Constitutional Court of the Russian Federation, as well as by the bodies of constitutional and statutory courts of the constituent entities of the Federation. At the same time, there is no specifics in this issue at the moment - there is no consolidation of specific legal normative issues of the basis of constitutional and legal responsibility. Constitutional and legal responsibility is reflected in the regulatory legal acts of the federal and regional levels; unfortunately, there is no law that unites all the grounds. As for the legal acts of the constituent entities of the Russian Federation, they are based on the norms of the Constitution, federal laws, thus, follow from the foundations of the constitutional system, a number of constitutional norms, on which the principle of federalism is built.

Constitutional and legal responsibility, as a kind of legal responsibility, is characterized by the specificity of the actions of the subject of the relevant legal relations, whose behavior violates the normative instructions governing constitutional and legal relations.

Scientists also use the term "constitutional delict", which is used to define the unlawful behavior of the subject, the consequences of which violate the constitutional and legal prescriptions, harm society, and for the commission of which the state provides for the onset of measures of constitutional responsibility.

The object of a constitutional and legal tort is a violation of established social relations, which are regulated by the norms of constitutional law (*Nechkin, & Kozhevnikov, 2020*). The objective side is the unlawful behavior of the subject of public relations, which does not comply with the norms of constitutional law.

The presence of guilt acts as a subjective basis for the onset of constitutional and legal responsibility. It should be noted that the content of guilt in constitutional and legal torts is distinguished by characteristic features.

The subjects of constitutional and legal responsibility are both individuals and collective entities. The subjects of public relations regulated by constitutional law include:

1. People of the Russian Federation. According to Article 3 of the Constitution of the Russian Federation, the bearer of sovereignty and the only source of power in the Russian Federation is its multinational people. The legal personality of the people as a participant in constitutional legal relations is determined by its sovereignty, which is based on a special legal mechanism that includes a number of constitutional rights and freedoms.
2. Citizens of the Russian Federation, foreign citizens, stateless persons.
3. The Russian Federation. According to Art. 71 of the Constitution of the Russian Federation, the Russian Federation is the subject of relations arising in the framework of protecting the rights and freedoms of man and citizen, managing federal state property, ensuring defense and security, etc.
4. Subjects of the Russian Federation.
5. State authorities of the Russian Federation
6. Officials, deputies of legislative (representative) bodies. The legal personality of persons holding state and municipal positions is determined within the competence of the relevant body. The activities of these subjects mediate the powers of state authorities and local self-government, in connection with which laws and other regulatory legal acts impose certain rights and obligations on them, provide the necessary guarantees.
7. Public and religious associations, groups and meetings of citizens.

Legislatively, the concept of constitutional and legal responsibility is not fixed, in connection with which it is possible to formulate the definition of the institution of constitutional and legal responsibility by combining different points of view of jurists into a single set.

Summarizing the opinions of scientists, it is possible to define constitutional and legal liability as an exclusive form of legal liability for violations of the provisions of constitutional law, which the state considers to be the most significant. The concept itself comes from the general concept of legal responsibility.

The institution of constitutional legal responsibility in a general sense is an independent form of legal responsibility, which is realized through the onset of adverse consequences for participants in constitutional legal relations (negative responsibility), as well as through the legal state of a person, which is characterized by his due participation in public law relations and performance in proper form of their civic duties (positive liability).

Constitutional and legal responsibility, as a form of legal responsibility, is characterized by specific features. It differs from other forms of responsibility in that in the process of considering the need to apply measures of constitutional and legal responsibility, the state does

not take into account the issues of personal freedom of the person guilty of an offense, and the property rights of the individual are not affected either. Constitutional and legal responsibility extends to the public rights of citizens and limits the public freedoms of the individual (*Komkova et al., 2020*).

It should be borne in mind that only if there is a factual basis for constitutional and legal liability, the subject of constitutional relations who committed an offense can be brought to this legal liability.

Goals, functions and modern problems of constitutional and legal responsibility

The institution of constitutional and legal responsibility occupies a dominant place in the system of methods of state legal regulation. First of all, the reason for this can be called the function of responsibility to ensure the implementation of constitutional and legal prescriptions and norms. Also, a central place in the regulatory mechanism is given to this institution in connection with an increase in the effectiveness of the implementation of constitutional norms, an increase in the degree of influence of constitutional legislation on public life in the state and an increase in the population's respect for the Basic Law of the state.

Another specific feature of constitutional and legal responsibility is the degree of its impact on society. It acts as a restraining mechanism, which ensures constitutional unity in the state and supports the status of the rule of law state and the regime of legality in the field of lawmaking and law enforcement determined by the Constitution of the Russian Federation.

Considering constitutional and legal responsibility in a narrower sense, it is possible to formulate its definition through the totality of its goals and objectives. Thus, it is expressed in the implementation by authorized representatives of the state or in some cases of the people in relation to the subjects of constitutional and legal relations of measures of state coercion.

Based on the definition, the following signs of constitutional and legal responsibility can be distinguished:

- use of measures of state coercion;
- a confirmed fact of violation of constitutional provisions;
- negative consequences for the perpetrator of unlawful acts of the subjects of constitutional and legal relations, expressed in the form of legal sanctions;
- a special implementation procedure established by the legislator.

The most common consequence of the measures of the type of legal liability under consideration seems to be in the application to the subject of constitutional and legal relations, endowed with a specific volume of legal personality in this area, coercive measures of state influence, expressed, as a rule, in the form of the performance of a specific duty by him. In some cases, sanctions can be implemented through the deprivation of the subject of his status or certain constitutional rights.

If the onset of legal liability in most cases requires the direct participation of subjects in legal relations and violation of legal requirements by their actions, then in the case of constitutional and legal liability, the most common condition for its occurrence is, on the contrary, the inaction of the state system of authorities, its individual element or a specific official.

Many domestic civilists agree that the type of legal liability under study should be defined as an independent individualized variety of the institution of legal liability.

According to N.V. Vitruk, the main goal of the type of responsibility under study is to, through the development and application of effective mechanisms for protecting the constitutional order established in the state, maintaining and strengthening the values approved by the Basic Law of the country, ensuring law and order in society and maintaining the legal regime of society and the state (*Afanasiyeva et al., 2019*).

It seems possible to formulate the main tasks, the achievement of which is entrusted to the institution of constitutional and legal responsibility:

- protection of the legal status of the state and strengthening the supremacy of the Constitution of the Russian Federation and the rights and freedoms of citizens established by its norms;
- implementation of protective mechanisms aimed at preventing infringement of the interests of subjects of constitutional legal relations;
- restoration of the violated rights of participants in constitutional and legal relations;
- creation of mechanisms for influencing society and preventing encroachments on the state order and the Basic Law of the state that regulates it;
- control over the activities of the country's legislative power and bodies implementing law enforcement processes, excluding violations and excesses of official powers of federal authorities, subjects and local self-government;
- timely and proportionate punishment for the guilty subjects of legal relations in case of violation of the boundaries of permitted constitutional behavior.

The institution of constitutional and legal responsibility is also characterized by a number of distinctive functions.

Its leading function is the restorative function, which is associated with the elimination of violations of the law, the restoration of violated rights, the return of violated social relations to their original position, it is aimed at correcting the behavior of subjects of constitutional legal relations.

The punitive function is realized exclusively in the case of a constitutional tort, it consists in condemning a person, punishing (recovering) for violating the norms of constitutional law, and occurs at the time of the sentencing (decision).

The regulatory function is to consolidate and implement the legal status of the President of the Russian Federation. Also, the regulatory function has its own peculiarity, which lies in the fact that this function affects the activity of the legislator in establishing other types of legal liability. The regulatory function is one of the tools for the qualitative organization of the work of the competent state bodies, officials, ensures the proper behavior of the subjects of constitutional and legal relations.

The preventive function lies in the fact that constitutional obligations and prohibitions exclude the occurrence of non-normative behavior and prevent an offense. The implementation of preventive influence may also consist in the threat of application of a constitutional sanction, in addition, such influence should also be associated with a clear formulation of the obligation that encourages the subject to proper behavior.

One of the objects protected by the norms of constitutional law is the electoral rights of citizens. Violation of these rights provides for the onset of constitutional and legal liability. In the light of the widespread introduction of electronic, digital, information and other means into the electoral process in Russia, the issues of protecting electoral rights in the application of modern electoral technologies and the development of the information and digital space are of particular relevance. Thus, following the results of the first experiment on the organization and implementation of remote electronic voting in the elections of deputies of the Moscow City Duma of the seventh convocation (*Federal Law No. 103-FZ*). Significant shortcomings of electronic voting were discovered that affect the observance of the principles of the electoral law and the legitimacy of the voting results. Even at the stage of approval of the decision of the Moscow City Electoral Commission on the use of remote electronic voting, the first litigation related to the validity of the use of DEG (remote electronic voting) and compliance with the principles of electoral law arose.

So, the candidate for deputies of the Moscow City Duma I.V. Ulyanchenko, through court proceedings, defended his position that the use of remote electronic voting violates the principles of secret voting and equality of suffrage. In addition, the plaintiff argued that the use of special software that is not part of the unified system of the state automated system “Vybory” is a contradiction to federal legislation on the unified system of the State Automated System “Vybory”.

The plaintiff's claim was denied. The Appellate Board for Administrative Cases of the Supreme Court of the Russian Federation also left the decision of the court of first instance unchanged, pointing out that when using remote electronic voting, the voter is given the right to choose the format of participation: traditional voting at a polling station or by submitting an application for voting using the DEG. Also, the Supreme Court did not find any signs of violation of the secrecy of the vote by the Prince, appealing to the fact that during the voting, special software was used in the “Personal Account” subsystem of the mos.ru Portal, which ensured the secrecy of the vote by means of data encryption. After the voter expressed his will, the data was encrypted and displayed on paper and in electronic form on the printers and display panels of the PAK. This mechanism allows you to ensure security in case of unauthorized access to the system (*Appeal ruling of the Judicial Collegium for Administrative Cases of the Supreme Court of the Russian Federation*).

Analyzing the problems of the formation of constitutional and legal responsibility as an independent type of legal responsibility, it should be noted that just the unresolved number of theoretical issues related to the implementation of constitutional and legal responsibility provokes difficulties in creating a legislative model of responsibility of various subjects of constitutional and legal relations and conflicts in law enforcement. practice.

Discussion

An analysis of the current legislation demonstrates that the institution of constitutional and legal responsibility in Russia is only at the initial stage of its development. Moreover, singling it out as an independent type of legal liability is difficult for a number of reasons.

For example, one of the most discussed issues of constitutional and legal responsibility in the doctrine is the lack of a legal definition of the concept under study, as well as the lack of consolidation of the institution of constitutional and legal responsibility as such.

Thus, the Constitution of the Russian Federation, despite the presence of the wording “responsibility” in a number of articles (*The Constitution of the Russian Federation*), does not contain a direct indication of the existence of special constitutional and legal responsibility. The absence of the category under study in the legislation makes it impossible to specifically establish the composition of the constitutional offense, as well as to determine the circle of subjects that may bear this type of responsibility.

Constitutional and legal responsibility predetermines the activity of the legislator in establishing various types of legal responsibility, affects the formation and functioning of the institution of legal responsibility as a whole, affects the development of the legislative system and ensuring the highest legal force of the Constitution of the Russian Federation, affects legal relations, enabling subjects to act lawfully, allows them to demand performing the necessary actions on the part of other persons, contributes to the restoration and development of constitutional and legal relations.

Conclusion

The problems of legal liability appear to be one of the most complex and at the same time discussed in legal science. Legal responsibility in the system of domestic law is a legal institution, which is an essential element of law, on which the functioning of the entire mechanism depends.

Despite the lack of mention of the term “constitutional and legal responsibility” in Russian legislation, it can be noted that the domestic legal system contains the grounds for constitutional and legal responsibility, a special procedure for applying measures of such responsibility, as well as sanctions that are absent in other branches of law, for example, repudiation positions, dissolution of the body, federal intervention.

Constitutional and legal responsibility is an independent type of legal responsibility; a similar position is held by most modern jurists. The Constitutional Court of the Russian Federation also in its acts indicates the existence of constitutional and legal responsibility in the Russian legal system

In practice, the implementation of the norms of constitutional and legal responsibility encounters the problem of imbalance in the interaction between the legislative and executive branches of power, the indication of uncertain grounds for constitutional and legal responsibility, and the opposition of expediency and legality.

For the commission of a constitutional offense, the introduction of constitutional and legal sanctions against the subject who committed the offense on the part of the state by decision of the appropriate authority is envisaged. Constitutional legal sanctions, being a necessary component of constitutional law, do not play a leading role in it, since coercion is not the dominant way of constitutional influence on social relations.

Modern science does not contain a regulated definition of the concept of “constitutional and legal responsibility”, the legislator has not established the composition of an act recognized as a violation of the constitutional foundations, and the concept and content of a structural and legal sanction have not been formulated at the legislative level. Based on this, it seems necessary

to work on the development of a unified terminology and content of the concept under consideration, as well as its inclusion in the text of regulatory legal acts.

At the same time, it should be noted the high importance of the decisions of the Constitutional Court, and, consequently, the need to increase the role of the named judicial body in the application of measures associated with constitutional and legal responsibility. An example of the implementation of this project could be the transfer to the jurisdiction of the Constitutional Court of the Russian Federation of the possibility of determining the presence in the actions of representatives of state bodies of the composition and signs of a constitutional offense.

The Constitution of the Russian Federation limits the possibilities for the functioning of constitutional and legal responsibility, since it does not provide for the possibility of creating a specialized body, nor any significant powers of the Constitutional Court in this area.

Attention should also be paid to the fact that among jurists there is no consensus on constitutional and legal sanctions. This is due, first of all, to the fact that the constitutional and legal norm does not have a standard model, that is, it does not contain a set of familiar elements: a hypothesis, a disposition, a sanction.

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The background of the page is a blurred photograph of a large crowd of people, likely at a public event or conference. Overlaid on this image is a complex network of thin white lines connecting numerous circular nodes. The nodes are semi-transparent and have a textured, slightly grainy appearance. The network is dense and interconnected, covering most of the page area.

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