

Artículo de investigación

State evolution mechanism: system approach

Mecanismo de evolución estatal: enfoque del sistema
Mecanismo de evolução do estado: abordagem do sistema

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Abstract

The article describes and analyzes in detail the state evolution mechanism. The authors show that many different theories and doctrines, various schemes for typologizing the evolutionary forms of the state have been developed over the long history of the existence of legal, philosophical and political sciences. The work content includes the discussion of the difficulties of developing rigorous theories of the evolution of state forms associated with the complexity and ambiguity of particular historical processes of state formation and development.

The authors distinguish and consider the evolutionary features of the modern state, justify that the modern state as a historical type possesses a number of features that are not inherent (or partially inherent) in both the traditional and the proto-modern state, which form its evolutionary features, specificity of functioning and evolutionary transformation. In addition, the article identifies and analyzes four main innovative stages in the political and legal institutionalization of modern political domination: civil state, rule-of-law state, democratic rule-of-law state and social rule-of-law state.

Resumen

El artículo describe y analiza en detalle el mecanismo de evolución del estado. Los autores muestran que muchas teorías y doctrinas diferentes, varios esquemas para tipificar las formas evolutivas del estado se han desarrollado a lo largo de la historia en la existencia de las ciencias jurídicas, filosóficas y políticas. El contenido del trabajo incluye la discusión de las dificultades para desarrollar teorías rigurosas sobre la evolución de las formas estatales asociadas con la complejidad y la ambigüedad de procesos históricos particulares de formación y desarrollo estatal.

Los autores distinguen y consideran las características evolutivas del estado moderno, justifican que el estado moderno como un tipo histórico posee una serie de características que no son inherentes (o inherentes solo en parte) tanto en el estado tradicional como en el proto-moderno, que forman sus características evolutivas, especificidad de funcionamiento y transformación evolutiva. Además, el artículo identifica y analiza cuatro etapas innovadoras principales en la institucionalización política y legal de la dominación política moderna: estado civil, estado de derecho, estado de derecho democrático y estado de derecho social.

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Keywords: state, evolution of the state, statehood, political society, historical types of the state.

Palabras clave: Estado, evolución del estado, estadidad, sociedad política, tipos históricos del estado.

Resumo

O artigo descreve e analisa em detalhes o mecanismo de evolução do estado. Os autores mostram que muitas teorias e doutrinas diferentes, vários esquemas para tipificar as formas evolutivas do estado se desenvolveram ao longo da longa história da existência das ciências jurídicas, filosóficas e políticas. O conteúdo do trabalho inclui a discussão das dificuldades em desenvolver teorias rigorosas sobre a evolução das formas de estado associadas à complexidade e ambiguidade de processos históricos particulares de formação e desenvolvimento do Estado.

Os autores distinguem e consideram as características evolutivas do Estado moderno, justificar o Estado moderno como um tipo histórica tem uma série de características que não são inerentes (ou inerente apenas em parte), tanto no status tradicional como o proto-moderno, que eles formam suas características evolutivas, especificidade funcional e transformação evolutiva. Além disso, o artigo identifica e analisa quatro principais etapas inovadoras na institucionalização política e jurídica da dominação política moderna: estado civil, estado de direito, estado democrático de direito e estado de direito social.

Palavras-chave: estado, evolução do estado, estado, sociedade política, tipos históricos do estado.

Introduction

The diversity of states presupposes the similarity and frequency of a number of signs inherent in them in different peoples and at different times. Their generalization makes it possible to combine the social phenomena under consideration into a single structure - a type. On the other hand, the diversity of the states also determines the presence of specific features in them, due to which they can be classified according to different historical types.

The historical-typological approach to the state fixes our attention on its relatively stable essential properties in the developed state. This presupposes the need for a genetic approach to the state, its cognition in the dynamic state of origin, transition to the developed forms, destruction of this particular historical type of state and its replacement by the state of a different historical type (Sulimenko N.V., 2001). In a cognitive sense, the concept of the historical type of state serves as a logical basis for the emergence of its general theory to the theory of individual types of the state and for the introduction of these theories into the general theory of the state as its elements. The typological approach to the state has a consequence of cognition of its types in a state of embeddedness in a broader comprehensive

holistic formation - a culture determined by a wide variety of internal and external factors: improvement of technology, growth of population, reduction of resources, etc.

Basic approaches and doctrines

It should be noted that there are various approaches to the typology of the society and the state and the forms of their historical development in the science. Thus, G. Ellinek, when classifying the states, proceeds from their organization and functions, as well as from the relationship nature between the individual and the state. Guided by these signs, Ellinek relates the ancient Eastern, Greek and Roman states to three different types of states (Ellinek G., 1903). In addition to these types, he singled out the medieval and modern state (Ellinek G., 1903, P. 210).

A similar classification of the types of state is given by the Russian historian N.I. Kareev. He distinguishes six types of states: city state, eastern despotism, feudal estate state, limited monarchy, Western European absolute monarchy and constitutional state (Kareev N.I., 1905).

A significant place in the state typology is occupied by the theory of two main types of statehood: democracy and autocracy. For example, Hans Kelsen believes that the typification of modern states should be carried out based on the "idea of political freedom" (Helsen G., 1946).

The French author Raymond Aron also distinguishes two main types of the modern state system, depending on whether the multi-party or one-party system dominates (Aron., 1965).

The American professor Mokayver, in turn, divides all the states into two types: a) dynastic, where the common will (state) does not express the will of the majority of nationals, and b) democratic, where the common will reflects the will of the whole society or its majority (Maciver R., 1964).

A socio-economic formation was considered as the most common criterion for the typology of states, which was widely used within the framework of the theory of state and other sciences, as already partially mentioned in the first paragraph. It is a historical type of society, based on a certain production mode and acting as the most important stage of the progressive development of mankind.

Each socio-economic formation is characterized by a certain type of production relations. Each of them has, along with world history, its own unique laws of origin and development. The corresponding superstructure represented in the form of a set of ideas, theories, views, perceptions, various organizations and institutions, and the system of relations arising between them, rises above the economic basis of each socio-economic formation. Each socio-class formation has a correspondent certain historical type of state. The change of one socio-historical formation to another one signifies a change in the system of production relations - the economic basis, a superstructure arising on its basis, and an appropriate type of state at the same time.

It should be noted that recently there has been a tendency in works on the problems of the theory of state to leave the consideration of the issue of historical types, for the reason that the Marxist teaching on socio-economic formations lies at the typology basis. However, according to V.A. Rzhnevsky, it is generally known that there has never been a state in general, there have been

only specific states of a certain type in the process of historical development of the society (Rzhnevsky V.A., 1992).

The teaching of K. Marx on the formation structure of the society was a significant achievement of the socio-philosophical and political thought. It was focused on the economic and social foundations of the society, allowed more fully representing its structure, identifying the main elements, revealing the fundamental links. At the same time, this teaching was absolutized and canonized, which slowed down its development, implementation of its methodological potential. Against the backdrop of new searches for the world social and philosophical thought, the extremes and one-sidedness of the formation structure of the society were clearly manifested. These extremes were expressed: firstly, in the absolutization of the economic basis of the structure of society; secondly, in the underestimation of the system-forming importance of the non-material economic factors of the social structure, such as, for example, political, cultural, ethnic, etc.; thirdly, in the excessive rigidity of the formational and structural links, their weak variance with respect to the specific conditions and the development stages of historical epochs, regions, countries; fourthly, in the tendency to "overlap" the formation structure with the characteristics of any particular society, fitting its features to the formation schemes; fifthly, in the excessive contrasting of the formation structure as "the only correct" to other models of the structure of society as idealistic and erroneous.

According to M.N. Marchenko, guided by this criterion, it should not be absolutized and considered the only correct, some kind of "universal" criterion for the typification of states. This is so, because, firstly, there is other, albeit less general criteria for the state typification apart from it, the integrated use of which helps to make a clearer, more strictly justified classification of the phenomena under consideration. And secondly, the criterion, according to which the type of state is determined only by the latter's belonging to a particular socio-economic formation, needs serious clarifications. It is so, because there have always existed and there are many other so-called transitional states and legal systems that "do not fit" within the framework of a particular formation in the world (M.N. Marchenko, M., 2001).

Methods and materials

The existing numerous definitions of the concept of the historical type of state, found in domestic scientific literature, especially political and legal, differ little from each other. In particular, the following definition has spread: it is "a combination of features inherent in the state expressing its class essence, and specific features inherent in all states that arise on the basis of production relations of a given type" (Theory of State and Law, 1948). Such a definition, proposed in 1948, can still be found today.

1. The textbook published in 1980 states the "the type of state is a set of essential features that differ the state in question from other types of states being in development and conditioned in the final analysis by the nature of the economic structure of class society " (Denisov, A.I., 1980). Similar definitions are also stated in other textbooks (A.M. Vasiliev, 1977), as well as monographs (Petrov V.S., 1967).
2. "The type of state", as it is emphasized, for example, in the "Marxist-Leninist General Theory of State and Law", "is a category that reflects the unity of the basic features of all states of one socio-economic formation, conditioned by the commonality of their economic basis, class essence and basic principles of organization" (Marxist-Leninist Theory of State and Law, 1970).
3. The interpretation of the concept of the historical type of state in the textbook of Leningrad authors is not an exception. "The historical type of state and law is understood as a regular degree (apparently, a step - - V.L.) in the development of state and legal systems existing within a single socio-economic formation, characterized by a unity of economic basis, class essence and external forms of manifestation" (Korolev A.I., Yavich L.S., 1987).
4. In the comparatively recently published textbooks on the theory of state and law, the historical type of state is viewed as a set of basic features peculiar to the states and legal systems of a certain social and economic formation, expressing their class essence, content and social class purpose (Lazarev V.V., Cherdantsev A.F., 1996; Korelsky V.M. and Perevalov V.D., 2000; Matuzov N.I. and Malko A.V., 2004).

In addition, in many definitions the historical type of state is considered as a set of features inherent in the state. To define and assign a particular state to a particular historical type, one should know its features and properties, but the analysis of only these traits in the historical type definition turns them into self-sufficient quantities, since they break away from the phenomenon, that is, the state itself. Thus, the historical type of state is deprived of historical reality and integrity as a separate structural formation.

Let us note that in interpreting the historical type of state, one should proceed from the following: firstly, to recognize the importance and necessity of determining the type of state; secondly, to recognize that the type is not a separate state, but a scientific category, a certain collective image of the states and legal systems that really exist in a given historical period; thirdly, this category is created not speculatively, but consists of a set of the most important features common for all these states and legal systems; fourthly, take not formal and legal, but essential and substantial features as a basis in the process of determining the type of state.

The transition from one historical type of state to another one is accomplished both in a revolutionary and evolutionary way. The social purpose, and therefore the state essence, changes in the transition process.

The emergence of a new type of state occurs by the separation of individual states from the old type and their adherence to the new one. There is a single process of struggle between the new and the old, a gradual replacement of the old with the new one.

Main part

Today, the analysis of society's evolution from the point of view of "progress" is not widely spread in the academic community. It is actualized the review of problems from the perspective of a qualitative reorganization of society into a different state in the neutral context of the complication of cultural forms. In the theory of political genesis, the theoretical paradigm of neo-evolutionism is definitely popular. Julian Steward is its prominent representative. He adhered to the theory of multi-line evolution and revealed a functional relationship between the environment that determines the diversity of evolutionary forms, and the level of technology, and socio-political organization on this basis. According to Steward,

the society passes consistently eight stages - from hunting and gathering to industrial society.

In 1955, the ethnologist Kalervo Oberg proposed a typology of cultural forms, built on the differences of political structures. Oberg's typology could be applied to the cultures not only of the South and Central America, but to other parts of the world. The typology was as follows: 1) homogeneous tribes; 2) segmented tribes; 3) politically organized chiefdoms; 4) feudal states; 5) city states; 6) theocratic empires (Oberg K., 1955).

One of the most popular classifications of political forms belongs to the American researcher Elman Service. He was first who noted that the structural types presented by Oberg were the consecutive evolutionary stages at the same time. Service identified four historical types: local groups; tribe; chiefdom; early state. The central government received a monopoly on the legitimate use of force already in an early state. The writing, civilization, cities appeared here. This scheme over the past three decades has been repeatedly supplemented and concretized. Above mentioned Klassen was actively engaged in the development of the theory of early state.

Richard Adams, using Service's typology, considered the evolution of power forms as a consistent increase in control over the energy of society. He proposed for consideration a global design, which included six levels of social integration: local groups; chiefdom or province; state or kingdom; national; international and world levels. An important addition was the separation of these levels into two parallel flows - centralized and coordinated units. Thus, at the third level, the city state and the kingdom are included in the category of centralized units, and alliances, religious associations, and the formation of the Crusaders are included in the group of agreed units (Adams R.N., 1975). The discussion of the origin and essence of the state was of great importance for the development of the theory of political genesis. M. Fried and E. Service actively participated in it. Fried, by the way, offered a typology different from Service's one: "egalitarian society - ranked society - stratified society - state" (Fried M.H., 1967; Lyubashits, V.Y *et al*, 2016). Fried believed that the state arose as a result of the settlement of conflicts in a stratified society. Service insisted that the state formation was associated with the need for integration, as it became more

complicated. The discussion on these issues has not yet ended, and its continuation is observed in Russian science. It is important to include the neoevolutionist theories of "chiefdom" and "early state" in the domestic science. This can include the concept of "power-property", developed by LS. Vasilyev.

The evolutionary forms of the state may be typologized only on the basis of a number of principles discussed earlier. They include the priority principle of substantiality, taking into account the main features that determine the quality of social regimes, which in turn determines the specificity of political and legal regimes.

The development of "regime" ("human regime") concept, which was actively operated by Dutch scientists J. Gudsblom and F. Spir, was continued by the domestic philosopher and political scientist N. Rozov, who identified four types of human regimes corresponding to four ontological fields:

- ecotechnological regimes (material aspects of human interaction with nature, demographic processes);
- mental regimes (regular processes of the psyche and communication of the individuals, groups, communities);
- social regimes (regular military, political, economic, moral-legal and other interactions).

We believe that belonging of a state-organized society to a particular historical type should be determined based on the analysis of its regimes, aspects and elements of these regimes.

Let us turn to the criteria that are integrative in nature, which will help us typologize the evolutionary forms of the state. We can choose parameters, variables that reflect a complex characteristic with an obvious "level". These will be parameters or attributes, certain changes of which make up the class or type of the phenomena being explained (dependent variables).

The set of dependent, or explained, variables sets its own, inherent only to it, trend structure at one stage of historical development. If the variables cross their limits, then the old trend structure "ceases to be itself", that is, a phase transition or recovery to a qualitatively different stage of development takes place.

The classification of states by their historical types presupposes, in our view, the following aspects (variables) of basic social regimes:

- political evolution level (development of political structures and institutions);
- organization and scale of military force, development level of communications, such as transport, communication lines, surveillance equipment;
- development level of independent weapon production;
- ability to create and maintain alliances (development level of diplomacy) and provide internal and external legitimization;
- accumulation and development level of knowledge and practices;
- development level of ways to meet spiritual needs;
- development of acculturation methods;
- development reproduction methods (the nature of ensuring new cycles and new production stages);
- development of redistribution and exchange ways (the order of providing needs in terms of economic and geographical diversity);
- development level of technology and equipment in the peaceful sphere.

The historical type of state can be compiled on the basis of the attributes of the conjugate parameters of the basic social regimes (political, legal, economic and cultural).

Thus, the historical type of state is a certain unity of basic social regimes, which include both the

obligatory general political power, and the regime for the exchange and distribution of goods and services.

Ten parameters listed above just set the ideal historical type of state. Each type of state corresponds to a certain degree of development in all ten parameters.

At the same time, we emphasize the level of political development as universal in its significance. It can serve as the main criterion or factor for fixing the transition from one historical type of state to another one.

In other words, this criterion makes it possible to trace the evolutionary series in sequence from less developed and simple to more complex and developed forms of political organization. In determining the evolutionary series in the categories of increasing complexity, we are aware that the process of change from simple to complex is not the essence of cultural and political evolution. In this case, it is difficult to explain the cyclical development and those cases when similar political structures appear at different evolution stages. It is useful here to turn to the notion of structural change. The evolution will be understood as "the process of structural reorganization in time, as a result of which it appears a form or structure that qualitatively differs from the previous form" (Voget F.W., 1975).

As an example, we give a table from the study of A.V. Korotaev on the relationship between the type of economy and the level of political integration (Korotaev A.V., 1991).

Table 1. Types of economy and level of political development

Statehood index	A	B	C	Total
0	49	10	9	68
1-4	13	24	18	50
5-7	0	4	26	30
Total	62	38	53	153

In this Table:

A - appropriating economy, B - early farming, C - developed agriculture;
 0 - 7 "statehood index" according to J. Murdoch, where: 0 - simple communities, 1 - 4 - societies with developed internal structure and chiefdom, 5 - 7 - state formations of varying complexity degrees.

It is clearly seen that there is a positive relationship between the complexity of

economic systems and the growth of political centralization.

It is obvious that the historical development of states has proceeded in different ways, but at the same time, according to Jonathan Haas, it has "such important common features as the emerging bureaucracy, the ruling elite, the state religion, the permanent army and the centralized economy. These common features that express the essence of a state organization arise in

cultures responding to the action of such similar forces as demographic pressure, the reduction of resources and the complication of society" (Haas J., 1995).

A particular level of political evolution determines the border separating the state formations of one type from the state formations of another type. It is important to identify the signs of the definition through which the border passes.

Thus, A.V. Korotaev determines the level of political evolution or the level of statehood in two dimensions: the number of desired hierarchy levels and their development, as well as the specialization of the enforcement machinery (Korotaev A.V., 1991).

Carneiro calls the state as a social structure with the government, which is capable of forcing people to labor and war. Here we see two operational parameters: the presence/absence of government and the government's ability/inability to force people to labor and war. According to this definition, the "presence/absence of government" that will be the parameter or sign, whose change will make up the class or type of phenomena being explained (the level of political evolution).

Another researcher, T. Skochpol, defined the basic transformations of the state through the implementation of class uprisings from below, thus singling out three basic parameters: transformation speed, its basic or non-basic character and the presence/absence of class uprisings from below. Skochpol used two of three parameters - the second and the third - as explanatory variables. In other words, the transformation of state structures and the existence of uprisings from below are explanatory variables for the repeated interpretation of the historical type of state.

Here is another example of the definition of a state offered by Alf Ross. He believes that the state actions can be meaningfully specified in two cases: "when the action is the implementation of state power or the official enforcement tool" and "when the action is the performance of a certain work, paid from the "state treasury" (Ross Alf, 1960). Ross determines the state actions (human actions, as if they came from the state) with four points: this person is vested with authority as a certain public official; his powers include the

power to command others; these powers are exercised not in his personal interests, but in the interests of legitimate institutions for the common good; when these powers are intertwined with others, composing the system of power (government) in the aggregate. Here, as in the case of Carneiro, the most important parameter (the variable explained) is the existence of state power (the enforcement machinery), which is established on a legal basis for the public good (the second parameter).

The researchers differently determine the phases of state development of the society (politogenesis) and appropriately interpret the evolutionary forms (historical types) of the state. We distinguish four main historical types of state, which will be discussed in more detail below:

- traditional state;
- proto-modern state;
- modern and quasi-modern state;
- post-modern state.

In the diachronic retrospect, the pre-state forms of political organization, namely the aketal communities and proto-states (chiefdoms), evolutionarily preceded to the indicated types of state. At the same time, chiefdom is a type of socio-political organization that creates the prerequisites for a transition from the communal autonomy to the state proper. Therefore, we will also investigate the chiefdom as an independent historical type preceding the state. The Marxist-Leninist historiography considered not a "chiefdom", but "military democracy" as a form of organizing the society during disintegration of the tribal system and transition to the state.

In the same vein, the states of classical types (slave-owning, feudal, capitalist) were distinguished on the basis of a common economic basis, single class essence and homogeneous principles of organization and activity. Within these historical types of statehood, the so-called subtypes were distinguished. In the slave-owning - patriarchal slaveholding (statehood of the countries of the Ancient East) and antique (statehood of Ancient Greece and Rome). In the feudal - early feudal, estate, absolutist. In the bourgeois - industrial and imperialistic.

All this means that the problem of typologization and periodization of the state evolution is

ambiguous and does not lend itself to unambiguous interpretation. The main stages in the evolution of the political organization of

society and the types corresponding to these stages are shown schematically in Fig. 1.

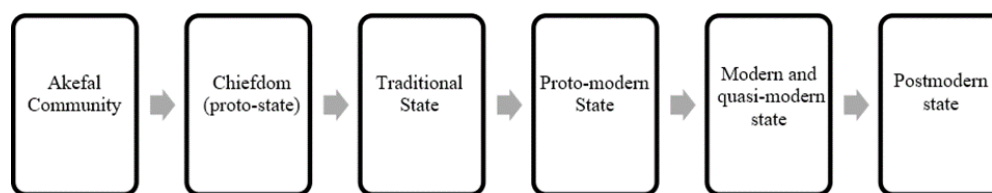


Fig. 1. Historical types of state in the evolutionary series of forms of political organization of the society

Turning directly to the historical types of state, let us illustrate the above scheme with the following examples. The traditional state in its typological interpretation is characterized by the presence of small despots, kingdoms, tsardoms, principalities. According to I.M. Dyakonov, this type includes the Yin State in China and everything that has preceded the Qin Empire up to the III century BC.; in Japan - the entire early state period up to the Nara period (III-VI centuries AD); in Europe - Crete-Mycenaean civilization of the II millennium BC (and Etruscan - in the I millennium BC); the early states of the North and the East - Anglo-Saxon before the IX century AD; Scandinavian and Slavic- until the XII century; in Africa - it is possible to refer Malinke, Songhai states of the VII-XV century AD, the state of Hausawa people from the XX-XI centuries AD and Congo, Bunyoro and Buganda states (from the XVIII century), etc. to the type of early ancient societies (Dyakonov I.M., 1994).

This type of state has a centralized institution with bureaucratic posts, which is no longer reduced to kinship and military elite and which is capable of forcing people to labor and war. There are also power structures that have a monopoly on legitimate violence in the territory. This type can have proto-state forms, but nevertheless it is capable of performing the basic functions of the state (organization of military force, maintaining its legitimacy). The societies of early statehood can have a parity relationship with each other.

The proto-modern state as a specific historical type of state includes various territorial empires, principalities and kingdoms of the feudal structure, protocapitalist city states. In the proto-modern state, the management of large territories was regulated. The central bureaucracy carried out various functional activities, concentrated in its hands the military, tribunal, customs, judicial, and church affairs in some part. At the same time, there was the dispersion or dualism of political power: power

in the center and power of individual feudal lords in the localities, in their patrimonies and seigneurs. At the local level, the power belonged to the rulers who bore different names (the king-basileus, prince, khan, boyar, baron, mandarin, bai, etc.), but carried out the same public and legal functions in effect.

It was formed a code of general laws, but the local laws of provinces and cities have continued to play an important role.

The concept of a proto-modern state is associated primarily with the dominant forms of social and political organization of the European Middle Ages, which has specific dependency relations (lord/vassal) on the basis of the existence of feud - the backbone of this relationship.

The modern state typologically originated in the Netherlands from the end of the XVI century, in England from the end of the XVII century, in France, Prussia in different dimensions from the middle of the XVIII - the beginning of the XIX century, in most countries of Western Europe - from the beginning or from the middle of the XIX century, in Russia - from the beginning of the XVIII - the beginning of the XX centuries in various aspects, in Turkey, Japan - from the late XIX century, in China, India, Brazil, most countries of the rest of the world - from the middle of the XX century. The USA, Australia, Canada, etc. are the modern states since the XVIII century. Today, an overwhelming number of states belong to this type. This state is also called a national state.

Conclusions

Due to the territorial principle of organization of political power, centralization and institutionalization of political authority and monopoly on the legitimate use of force within society, the nation state was able to preserve the

population and control the rule of law, build up military capabilities and conquer new territories, support civil loyalty and take advantage of market economies.

There are four innovative stages in the legal institutionalization of modern political domination: civil state, rule-of-law state, democratic rule-of-law state and social rule-of-law state.

Dozens of different theories and doctrines were created and the same amount of attempts were made to typologize the evolutionary forms of state during the existence of legal, philosophical and political science. Hundreds, if not thousands of contradictory assumptions, were expressed. At the same time, the disputes about the nature of the state, its essence and the conditions of its origin continue to this day. The theoretical difficulties are associated with the complexity and ambiguity of the specific historical processes of state formation and development. A systematic study of these problems is an urgent challenge of the time.

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