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National And Cultural Trends In The Research Of Russian Political And Legal Space In The Early 21st Century: The Mental Dimension Of Modernization Processes

Tendência Nacional E Cultural Na Pesquisa Do Espaço Político E Jurídico Russo Do Início Do Século XXX: A Dimensão Mental Dos Processos De Modernização

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Abstract

The article identifies and presents the national and cultural foundations for the study of the domestic legal space, namely the modernization changes that inevitably arise and will take place in its later development. It is clear that with this sense of development of knowledge about the national legal world, it is very difficult to assess the inevitable perspectives for its development, in particular, the specificities of the implementation of digital technologies, the characteristics of its regulatory legal mechanism and possible perspectives. In this sense, the authors of the article highlight and exhaustively consider the so-called "non-positive" components of the national legal reality, reflecting the complex morphology of public and individual legal awareness and included in the structure of the legal mentality. It is this approach that makes it possible to highlight several approaches to identify and typify an element as significant in the national legal and political space as the legal mentality, whose consideration undoubtedly has great cognitive significance within the scope of the national-cultural and even intellectual-technological trend evolution of the domestic and socio-legal space, as well as political and institutional, which is distinguished not only by a vast geographic territory, but also by ethnocultural pluralism.

Keywords: Legal space, legal regulation mechanism, third environment, robotics, national and cultural trend.

Resumen

O artigo identifica e apresenta os fundamentos nacionais e culturais para o estudo do espaço jurídico doméstico, nomeadamente as mudanças de modernização que inevitavelmente surgem e terão lugar no seu desenvolvimento posterior. É claro que com este sentido de desenvolvimento do conhecimento sobre o mundo jurídico nacional, é muito difícil avaliar as inevitáveis perspectivas para o seu desenvolvimento, em particular, as especificidades da implementação das tecnologias digitais, as características do seu mecanismo jurídico regulamentação e possíveis perspectivas. Nesse sentido, os autores do artigo destacam e consideram exaustivamente os chamados componentes "não positivos" da realidade jurídica nacional, refletindo a morfologia complexa da consciência jurídica pública e individual e incluídos na estrutura da mentalidade jurídica. É esta abordagem que permite destacar várias abordagens para identificar e tipificar um elemento tão significativo do espaço jurídico e político nacional como a mentalidade jurídica, cuja consideração, sem dúvida, tem grande significado cognitivo no âmbito do tendência nacional-cultural e mesmo intelectual-tecnológica na evolução do espaço doméstico e sócio-jurídico, e também político e institucional, que se distingue não só por um vasto território geográfico, mas também pelo pluralismo etnocultural.

Palabras clave: Espaço jurídico, mecanismo de regulação legal, terceiro ambiente, robótica, tendência nacional e cultural.

Introduction

In the face of the introduction of artificial intelligence and robotics which are accelerated due to many factors, it is necessary to develop a position regarding the effectiveness of legislation regulating these new forms of socio-cultural existence, which, in fact, determine the emergence of the third (after "nature" and "society") "environment". Moreover, there are more and more persistent discussions in the global legal space about the implementation of robotics in various types of the legal process, in particular, within the framework of court hearings, where robots are presented as a kind of "impartial" judge "free" of all negativity of a "live" judge and capable of the high-quality solution of cases, and also the resolution of disputes, etc.

It is clear that the place and role of a person, social groups, basic institutions (family, property, inheritance, responsibility, etc.), their importance in this emerging virtual and electronic world will depend on the availability of adequate mechanisms of legal regulation of the latter. The tradition that developed in Soviet and Russian jurisprudence was focused mainly on the study of institutional and normative aspects of legal reality and neutralized other aspects primarily related to the spirit of the law, which significantly reduced the heuristic potential of scientific works in the field of political and legal development of Russia. The question of the dialectic of the unique and universal in national law was either not raised at all, or was solved primarily in the Marxist-formational methodological context, and then exclusively within the framework of the liberal theoretical and axiological monism (Savchenko et al., 2019).

The development, functioning of national law and the state always take place in a rich socio-cultural environment. Therefore this process cannot be reduced to any set of "regularities", "trends", "universals", since all these categories are well-known generalizations, and sometimes a simplification of legal and political realities, a well-known way to create their "pseudo-scholarship" character, etc. Legal and political matters are always living social essences, to understand the nature and meaning of which cannot be possible if to exclude a person and society from this cognitive act, moreover, not a person and society in general, but a kind of culturally and civilizational "sterile" phenomena always considered in their dialectical unity of original (ethnic, anthropological, etc.) and universal characteristics that emerge and persist in the historical dynamics. However, even with this approach, certain "rubber-stamped", but often very stable characteristics or stereotypical positions may arise; they are far from the true foundations and vector of development of the national legal system and institutions of the nation-state.

So, from the point of view of many modern domestic jurists (who began to "profess" the liberal value and methodological model of reasoning), legal nihilism as a phenomenon that, allegedly by its nature, "entirely belongs to the national mental world of law; in Russian society, it is primarily due to the low level of development of legal consciousness and lack of legal culture, ignorance of one's rights and freedoms, lack of even elementary legal skills and competencies and, as a consequence, due to very limited opportunities for legal self-defence, and often generally indifference, misunderstanding of the essence and meaning of the legal autonomy of an individual, and not only others but your own, too".

This kind of judgment in the 90s of the twentieth century began to be accepted as axioms: they were either not discussed at all or were considered exclusively within the framework of the Western (formalized) understanding of the essence of law, legality and legal order, the mechanism for ensuring human and civil rights and freedoms, etc., when, for example, the law as a special regulatory form of culture has been reduced to human rights; all other forms (in particular, morality as the form closest to the law) have been simply brought into a fundamentally different regulatory and protective field as if real behavioural acts can be subordinated exclusively to legal "formatting".

In this regard, a proper scientific study of the specifics of the national legal field, positive or negative assessments of the Russian legal culture and, specifically, the legal mentality presupposes a scrupulous conceptual analysis of positive, (sign) and non-positive, figurative, symbolic and other manifestations of the domestic legal world, which reflect the complex morphology of public and individual consciousness in the legal (political and legal) sphere. Moreover, any so-called "pure" (taken out of the mental field) consideration of national legal reality, political, state-legal institutions and processes will be unacceptably superficial and hardly significant in theoretical and, especially, practical terms. The reason is that the above-mentioned consideration does not take into account the specifics and nature of external forms of legal mentality that are revealed to us, as well as standardizing its main social structures striving for any conclusions devoid of "binding" to the constants of the legal history of the people, it's established, stable and original legal understanding.

Methodology

This kind of research, namely the mental (archetypal, culturological, etc.) measurement of national legal reality in order to understand the possible consequences of introducing new objects of legal regulation (or even subjects of legal relations) into it will mean a radical turn from the so-called "pathos of

profanation" (the term by B. Vysheslavtsev), which took place, in particular, in the Marxist and liberal humanitarian literature, towards a "subtle", balanced, multidimensional, i.e. real view of the surrounding ethnonational and cultural-civilizational world with the aim of its comprehensive, balanced assessment. It is in this direction that discussion regarding, for example, anthropomorphic or even non-anthropomorphic robots, various other products of robotic technologies) is currently going.

In particular, the Soviet methodology for the study of legal consciousness was nothing more than a "transposition" of the famous Leninist theory of reflection on the legal sphere. The diversity of the surrounding social world, and hence the special position of the subject cognizing it within the framework of this formula, which was ideologically supported for several decades, was reduced to the recognition, first, that all things exist "objectively," that is, regardless of the subject knowing them, and secondly, that these things are accessible to human knowledge.

It is fully explicable that such an approach leads to the recognition of the existence of "objective truth" as the content of the subject's ideas about a cognizable object, which, however, "does not depend on either man or humanity." Meanwhile, "... the world does not satisfy a person, and a person decides to change it by his action" in his own interests pursuing his goals. So, for V.I. Lenin, the subject is the bearer of "objective truth"; he lives, or rather, thinks and acts in the world of "objective" things independent of the consciousness of the subject and his will.

This methodological position does not cover the multidimensionality and "large number of worlds" of national culture, which is difficult to present as some objectively given civilizational vacuum external to subjective experiences, intellectual intentions, etc., and cannot be done in this way. Hence, in general, the heuristic sources of the definitions of legal consciousness adopted in Soviet legal science are also understandable.

"Understanding legal consciousness in this way, we mean only the mental projections of the reflected "objects-norms" which are more or less adequate or distorted. Such an understanding reduces the sense of justice to a positive psychological process and, ultimately, to the problem of "reflection" of "really existing rules" (Sinyukov, 2010). It is clear that with such an understanding of legal consciousness, its original cultural (ethnocultural) meaning cannot be identified; such a problem is not posed here at all; the legal consciousness of an individual, society, or corporation is simply nationally "sterile". In such a situation, in particular, in law-making practise, the emergence of "counter-majoritarian" institutions is fully explainable; the last (for example, the Constitution of the Russian Federation, as acknowledged by S.M. Shakhrai) can "legally" resist the will of the majority of members of society.

Of course, we recognize that the dialectical method has far from only "materialistic" sound, but also other "sides". Thus, when studying the stated problems, the recognition of the unity of the content and form of legal mentality in a single (or "quasi-unified") ethnosocial space plays an important role. Consideration of the legal mentality in a contradictory socio-historical context, and in a constant evolutionary (albeit slow) movement also corresponds to the dialectical methodology. In addition, the hermeneutic way of cognizing the national state-legal reality, which involves the identification and interpretation of hidden socio-legal and political practices, structures of public consciousness, sign-oriented and symbolic components of the Russian legal space is of great importance.

The method of genetic reconstruction allows revealing the specifics of the formation of the domestic legal mentality in general and its various types and manifestations in particular. A huge role is played by a set of general scientific, logical methods, for example, the method of dividing the scope of concepts, which has become the basis for various kinds of classifications, of course, first of all, typifications of the legal mentality.

Among the special methods, the comparative-legal method should be highlighted, which makes it possible to identify the essential and other differences in the legal, mental space in different types of civilizations, ethnic groups, and peoples. Using the same method, it is possible to carry out a comparative analysis of certain types of mentality revealing the meaningful difference in their structures.

Main part

So, let's focus on non-positive, i.e. value-symbolic phenomena as the most complex (in terms of their detection and study) and poorly developed forms of legal world perception in domestic legal knowledge.

First of all, let us turn to the legal attitudes of an individual. The very concept of attitude is formed in psychological research. So, for example, this category is the subject of research of the Georgian school of psychologists (Uznadze, 1961). The sociological aspects of a personal attitude were formulated by V.A. Yadov, who believes that "an attitude... is a psychological mechanism for regulating both the unconscious and the conscious activity of a subject; it contains mechanisms of both the simplest and complex social forms of behaviour" (Yadov, 2013).

Many Russian researchers have turned to the study of the content discovering the concept of "legal attitude" of a person within the framework of jurisprudence. In particular, according to E.A. Lukasheva, "the legal attitude of a person is his or her readiness to act in

accordance with this or that standard, or a model of behaviour; therefore, it is the personal legal attitude where all the components of socio-psychological regulation are concentrated, depending on the qualitative characteristics of which it can be either positive or negative, manifested, respectively, in the lawful or illegal behaviour of the individual" (Lukasheva, 1987).

It is clear that the legal attitude of an individual always has an axiological connotation and in many respects is a manifestation or expression in some form of specific legal values of legal behaviour by their subjects. The latter (in turn) determine the legal attitudes of individuals and their groups; they are recognized and transformed through them into the legal activity of an individual, and its (individual) legal culture as its result. Therefore, the significance of the mass (typical) legal attitudes formed in society, their influence on the entire complex of elements of national legal reality cannot be underestimated, especially since the attitude is one of the most important elements of legal mentality, a factor that determines the conscious attitude of the individual to the current normative and legal regulators, and other legal means and institutions, including the law enforcement system, and also own rights and obligations of individuals.

"After all, laws are issued for people and are addressed to people; they are applied by people and are executed by people. All this (and the application of laws, and their implementation) largely depends ... on the whole society and each of us, on the attitude to the issues of law and legality, our assimilation of legal values, readiness and desire to achieve the strictest legality, accuracy, and impeccable execution of legal norms" (Alekseev, 1991).

Legal attitudes and orientations are defined as significant results of the functioning of legal consciousness (Andreeva et al., 2019; Kuz, 2015). They considered the legal attitude as the result of the practical implementation of the value relationship with the participation of the will performing a kind of role of "energy engine". Accordingly, he defines the legal orientation as an intellectual-emotional-volitional formation, or a set of legal attitudes of an individual that directly forms its internal plan, and a program of activity in legally significant situations.

Legal attitude is the readiness, or predisposition of a subject to lawful or illegal behaviour, which is formed under the influence of a number of social and psychophysiological factors (Matuzova & Malko, 1997).

In addition, the same researcher claims the availability of both positive and negative legal attitudes. Such an approach undoubtedly has its own heuristic value, which consists in an adequate understanding of the legal behavioural and legal assessment aspects, since legal (i.e., lying in the field of legal regulation) behaviour can be both lawful and illegal, positively assessed with positions of compliance with the current legal regulations, and those that received a negative assessment of society and the state.

The problem here, of course, is significantly complicated by the search for conditions and prerequisites for the formation of this valuable space, i.e. the need to identify its mental nature, since it is quite obvious that the formation of the axiological field always takes place in a specific society, in the process of its cultural and civilizational dynamics and therefore it cannot go in isolation from the specific features of the national legal mentality, the mentality of individual social (professional, ethnic) groups, diasporas, the population of provinces and the capital, etc. In general, the axiological legal space is thus always mentally "loaded" and therefore, mentally dependent.

In this regard, the value-setting elements of the legal mentality (nation, diaspora, provincial communities, representatives of the capital's society, etc.) are inextricably linked with its symbolic and ritual manifestation. Note that in modern domestic literature (in contrast, for example, to Western sources) legal symbolism as a phenomenon has practically not been studied either theoretically or culturally and historically. The only exceptions are some works, in which the authors still strive to penetrate into the essence of the symbolism of legal forms (Sinyukov, 2010).

"Legal symbolism is by no means connected only with playful and mythological interpretations of law; its conditioning is more fundamental: it is the outer shell of those internal phenomena that "occur in the spirit of individual people"; appearance and materiality is a necessary condition for the existence of the law, which was argued in relation to external symbols of law by one of the first Russian researchers of the problem Peter Kolmykov" (Isaev, 2003).

Rituals and symbols should not be considered exclusive property of traditional societies, although their difference "stems from the gradual development of the mental maturity of the people" (P. Kolmykov). Specialists in the field of legal anthropology identify and research the special ritual culture of modern societies striving to discover and understand the true meaning of the stable mental-ethnic characteristics of societies, the main directions of their political and institutional development. Indeed, modern societies are familiar with very diverse rituals: judicial (they, first of all, have a procedural nature), political, military, family, etc.

In general, the ritual has a huge meaning in any (Western or non-Western) political and legal system. Being closely interconnected with the category of coercion, it is the ritual that makes it possible to get closer to understanding the anthropological aspects of national legal proceedings, the functioning of the

entire law enforcement system of the country and, as a result, to understand the features of the state and legal regime, the level of development and the degree of protection of human rights and freedoms.

So, for example, the institution of the jury that arose in the Anglo-Saxon legal family as a judicial ritual (recognized by the liberals as a symbol of democratic justice), which is traditional for the modern rule of law states and organically connected with their formation and further evolution, is designed by its nature for a certain legal status of an individual, for the real volume of its rights and freedoms, an appropriate level of national legal awareness, as well as the actual operation and "strength" of the Constitution, laws and court decisions in the country. Otherwise, in particular, under the conditions of the "rapid-fire justice" well-known in Russia, such a ritual loses all meaning and sense; it becomes simply redundant and is rejected by the entire state and legal reality.

In other words, the ritual not only expresses outwardly, in visible forms, the place and role of law as a source of law in society and the state but, in turn, the meaning of the ritual is hidden and proceeds from the authority of the law, its legal or non-legal content.

"The text of a law, the behaviour of a judge, the gesture of a traffic controller, which are abstracted from their content, are the initial legal phenomena. This is a container; this is a case. Their content is legal provisions; condemnation, acquittal or fines for violating traffic rules are secondary phenomena. In this way, we can analyse the relationships between the two types of phenomena as causal relationships".

Note that judicial (legal) ritual and the category of coercion seem to be very closely related. It is also quite obvious that the law is the basis of the category of coercion; on the contrary, it plays only a secondary role in the category of contract. Hence, it is clear that the legal ritual is stronger and more significant in the field of criminal than in the field of civil law relations (however, Roman law may be some exception here). The special development of the ritual in criminal jurisdictions is associated (and this is obvious), first of all, with the fact that the severity of the crime, of course, must be opposed by the force of the law.

A judicial ritual is always a role-playing ritual: a judge represents the state and its laws; the prosecutor is the guarantor of the law, he/she accuses on its behalf, and the lawyer acts on behalf of the law (often in the broadest sense of the term: natural law, the law in a subjective sense, etc.). At the final stage of the process, the announcement of the verdict is nothing more than a ritualized restoration of the order violated either by the accused (in the case of a guilty verdict) or by the state itself represented by its law enforcement agencies (in the case of an acquittal). In addition, if the accused is found guilty, then the symbolic removal of him/her from the courtroom means exclusion from society, isolation (ostracism) with exclusion to the place of punishment, where he/she will henceforth be kept.

A civil procedure is also subject to a certain ritual: it presupposes a certain procedure for the performance of certain ritual actions, however, significantly simplified in comparison with the criminal procedure. Its meaning, first of all, is that a judicial ritual allows the parties to resume a deadlocked relationship with the help of the mediation of the court and their representatives. Indeed, "a judge standing above both sides by virtue of the power given to him/her can resolve their demands alone, neutralize them according to the law and, thereby, restore order in social life" (Drobyshevsky & Protopopova, 2019).

Therefore, finally, the goal of a civil procedure is not so much to ensure the triumph of justice (the idea of which is different for each side) but to achieve the final elimination of the conflict. It should be noted that it is here that the principle of the authority of a court decision reveals its effect, according to which the latter should be considered by all participants in the procedure as fair, at least by virtue of the values established in society about the essence of law, justice and legal acts as socially significant phenomena.

So, "the criminal ritual is based on the exalting or belittling of an individual, the civil one is based on the recognition or non-recognition of the situation. The criminal ritual is within the framework of legitimacy; the civil one is based on the concept of settlement. The first is associated with the concept of "sacred foundations", and the second is with the resumption of social exchange".

Nevertheless, despite a number of fundamental (sectoral) differences, it is obvious that legal rituals are of a single nature. First of all, they form and provide a mechanism for external manifestation through the external side of the deep foundations of the national legal mentality: criminal and civil rituals indicate legal values, show their uniqueness in a special (practical) institutional refraction. Explication of the exclusivity of legal values, their national specificity and originality, identification of legal symbols and rituals is a methodological basis for identifying various types of legal mentality, in particular, their differentiation according to the ethnic-civilization criterion, i.e. the key to conducting one or another comparative legal research. Any type of legal mentality, or rather its carriers, must reflect in a special way and, of course, react (emotionally and behaviorally) to the content and vector of development of the legal values, rituals and symbols surrounding them.

Typology of legal mentality

The fact is that it is at the level of consideration of legitimate manifestations that indicate the specifics of the political and legal life of countries, peoples, eras, and therefore determine the moment of perception of various kinds of social or technical innovations

(including products of artificial intelligence and robotics), one should dwell on the problem of the classification of legal mentality. In general, classification and typification are a fairly proven and epistemologically strong "weapon"; most often, it works perfectly in the hands of an experienced researcher, provided other necessary conditions are present. The latter, undoubtedly, should include the classification criteria and the aim pursued. It is no secret that in recent years in the domestic legal literature, as a rule, formational and civilizational criteria are distinguished for their typification among a relatively wide range of studied phenomena. Their use should not also be ignored in relation to the legal mentality.

In particular, the application of the civilizational criterion makes it possible to single out, for example, such types of legal mentality as Anglo-Saxon and Romano-Germanic, Muslim and Far Eastern, traditional (African), Slavic, etc. Here, obviously, there is a correlation with the legal systems taking place in comparative studies and this, apparently, is the undeniable practical value of the civilization criterion and its significance from the standpoint of solving specific problems. In addition, if we continue this classification following the canon of formal logic on the continuity of the division of concepts, then we can go (the next genus-specific tier) to the types of legal mentality, its subspecies.

For example, it is appropriate to go to the allocation of national and ethnic mentality within the framework of the civilizational criterion. Such an integral spiritual and legal phenomenon as the Slavic (civilizational) legal mentality type can be subdivided into the Russian (national) legal mentality, West Slavic (Polish, Slovak, etc.), South Slavic (Bulgarian, Serbian), etc. Within the national species (especially in the conditions of multinational states), it is possible to single out ethnic subspecies of legal mentality (in the Russian mentality, of course, we should talk about the Slavic and Turkic ethnic-mentality, etc.), if necessary.

Within the framework of this topic, the formation approach with all its pluses and minuses is, of course, less significant, since the main emphasis here, as is well known, is placed on phenomena that go beyond the spiritual sphere itself into other hypostases of social reality: the type of production relations, the nature of the class struggle, etc. Therefore, the types of legal mentality correspond to the distinguished "historical types of state and law" (slave, feudal, bourgeois, socialist), and the types can be "seen" (if desired) in a more fractional division: for example, the early feudal legal mentality or the legal mentality of "free competition" capitalism, etc.

We can talk about the mentality of the classes in the same context, which is the dominant and the exploited; they clearly have a matrix of typifications and assessments that are very elusive in its reflection, and a general scheme of meaning constructions that determines the nature of (class) legal and political thinking, the corresponding behavioural acts, and the usual social "response" (the reaction of representatives of certain classes to certain symbolic and depersonalized formations being right, laws, power, the penitentiary system, etc.).

It is quite appropriate to distinguish the types of legal mentality in relation to the various social strata that take place: "noble mentality", "merchant mentality", "peasant mentality", etc. This can be done with a certain departure from Marxist socio-philosophical postulates and a deliberate distraction from the idea that every individual in modern society, in one way or another, is a bearer of the mentality of various levels (family, corporation, perhaps a diaspora, etc.),

In recent decades, they argue more and more often about the professional legal mentality, i.e. the mentality of lawyers (judicial, police, attorney, etc.), economists, doctors, teachers, etc. However, it is not always possible to single out the essential features, qualities that fundamentally distinguish persons of different types of employment and that allow asserting about the actual difference in their worldview "on a professional basis" in the same society and state. With even greater caution, one should assert about the possible exit of the professional legal mentality beyond national borders, and the unification on this basis of persons of the same profession in different countries (Ergashev & Farxodjonova, 2020; Lacorne, 2019). In general, the idea of unification of the legal mentality should be treated more than balanced, with well-known theoretical assumptions and methodological "oversights" (Alexey Y. Mamychev et al., 2016).

Based on the well-known works of foreign and domestic historians, culturologists, political scientists (Bakhtin, 1990; Gurevich, 1990; Izudinova et al., 2020; Osmukhina, 2020; Osovsky, 2019) and others, dedicated to peculiarities of feelings and way of thinking, "collective memory" of people of a certain epoch (Middle Ages, Renaissance, New Time, etc.), there are distinguished the so-called historical and epoch-making types of legal mentality, which, moreover, are "tied" to a specific civilizational area: for example, the legal mentality of the European Middle Ages or the Western European mentality of the Renaissance epoch, etc.

One can find approaches to a higher degree of generalization in the clearly small number of modern domestic specialized literature, where there are arguments about the nature and types of legal mentality. In particular, V.A. Bachinin and V.P. Salnikov propose to distinguish between the mentality of the "western" and "eastern" types, and, apparently, their characteristic features are clearly formulated by

them for the first time in our scientific tradition (Bachinin & Salnikov, 2000).

In general, the search space for the foundations of classification is inexhaustible and, naturally, associated with the goals that researchers set for themselves. Hence the desire of a number of authors to single out the "individualistic" and "collectivist" legal mentality dominating in a "pure" form or somehow combined (in Japan) in specific countries of the modern world, "masculinistic" and "feminist" types, public law and private law mentality, etc.

Returning to the specifics of the domestic political and institutional reality and taking into account the purpose and objectives of this study, let us dwell on one more basis for the classification of the national legal mentality. The Russian legal mentality is not homogeneous. It clearly has a segregation nature in the sense of the historically formed gap between the metropolitan and provincial mentality.

"The gigantic size of the country is of great importance for the Russian mentality. Due to the enormous size of the state, the spatial dispersion of the population, various structures and cultures, a kind of historical inertia arises that is not indifferent to the historical fate of Russia. This inertia, if you will, is fateful for our country. For example, in France, the influence of Paris throughout its history, especially in modern times, was decisive: the country went where Paris was going (except, perhaps, the period of the Paris Commune of 1871) " (Pantin, 1994).

The remark is legitimate and theoretically justified. The stable "regionalization" nature of Russian political and legal culture (from which a researcher can abstract away, of course, to a certain extent) has always been in the centre of attention of the famous Russian "centralizers" from Ivan Kalita to Joseph Stalin. However, the paradox lies precisely in the fact that the increase in the degree of centralization of power had the opposite effect on the national legal and political mentality. Although the outward strengthening of the centre always led to the unity of the territories, often it turned out to be only a quasi-unity in the mental dimension. As an example, it is enough to recall the eternal contradictions between Moscow and the regions largely generated and supported by the centre itself.

The primary source here is the historical "primary impetus" of the unrestricted centralizing policy of Moscow, and then its special status as a political, legal and cultural centre and, as a consequence, metropolitan charisma. Moreover, in terms of the people's juridical-state worldview, "in Russian history the transfer of the capital status from Moscow to St. Petersburg is, paradoxically, an unimportant and unimpressive fact, which almost in no way reflected on the mentality of Moscow. (...) A separate and well-known topic is "Moscow is the Third Rome". It is impossible to imagine Petersburg in the "Third Rome" toga. The point is not in the lost Middle Ages, but in the mentality declared and manifested in its history", - M. Uvarov writes (Lutsevich, 2014).

As a result, two political and legal centres, two different-sized mental poles have developed in a single national spiritual space: the capital - the province. This binary construction turned out to be so stable that it calmly survived the most different (often tragic) turns of Russian history.

Of course, many reasons and prerequisites can be identified that determine and maintain this state of affairs, for example, the concentration in the capital of huge intellectual, informational (central media, archives, libraries) and material resources, the unique opportunity of a small part of the Moscow electorate to exert direct pressure on the highest state bodies of the country creating an important political background for certain trends, etc. (A. Yu Mamychev et al., 2019). These factors do exist and, as they say, "lie on the surface", but there are also deep and hidden grounds for metropolitan-provincial differentiation and identification of the Russian mentality and legal identity. These are, first of all, fundamentally different legal and political dynamics of mentality carriers, different degrees of "vulnerability" from radical political (often populist) ideas and sentiments, a different level of "openness" (mobility) of legal culture and the entire legal infrastructure for political and legal innovations and borrowings "promoting foreign legal missionary work."

A "gap" between the capital and provinces in Russia becomes even more tangible and, probably, more socially significant during periods of national political and legal transformations, upheavals and crises. So, the traditional exodus of the population to Siberia in the XVI-XVIII centuries was a kind of protest against the "eradication of ancient habits" and "humiliation of Russians in their own hearts" by the central government, it seemed a necessary condition for the preservation of the spiritual and ethnic identity of certain groups of the population. A striking example of this is the Old Believers (Lukin & Lukin, 2005; Michels, 2003; Vorontsova & Filatov, 2000).

In the course of the country's historical development, a kind of selection took place, as a result of which in Central Russia, as a rule, those who were most loyal to the state power remained, and those who strove for various forms of confrontation with the centre-left for Siberia, the Don, and the Volga rivers. Already due to these circumstances, the political and legal mentality of the population of Central Russia, and the capital above all, and the legal mentality of Siberia (and other suburbs) were formed in different ways.

This differentiation is especially manifested in the conditions of the so-called "reformatory-legal" development of the country: the well-known inertia of the mental system of the provinces, healthy "peasant" conservatism, pragmatism, and distrust of what is

proposed by the central government are the filter that "weeds out" the extreme and unviable legal and political options for the development of the state.

Conclusions

Undoubtedly, all of the above influences the content of the structures of the national political and legal mentality; consequently, its "dismemberment" is both methodologically and theoretically justified. Therefore, it is possible to speak of a single Russian legal mentality, but only with a certain degree of the convention, abstracting from its vertical differentiation to solve certain research problems.

"The Russian people have their own characteristics, like all others. One of them is the mental perception of state power, state and legal institutions, attitude to their emergence, change and development. Modern Russian people, who live in the capital and in the provinces, evaluate them differently" (Lyubashits et al., 2015; Neocleous, 1996). In this regard, there is obvious and well-known the role of customs, traditions, foundations of life in any locality, which leave an imprint on the moral state of people permanently living there, largely determining their behaviour, and the hierarchy of values that determine the reactions of individuals in certain, often non-standard situations.

Within the framework of political and legal discourse, the latter is inevitably embodied in various variants of legal behaviour: for example, the predominance of law-abiding (conformist or marginal) citizens in the Russian provinces or, conversely, legal nihilism in the capital as a mass metropolitan phenomenon or an indicator of the deformed legal consciousness of provincials. Obviously, with such a consideration in the study of these issues, it is inevitable to go beyond the narrow framework of the positivist theory of legal consciousness into a fundamentally different conceptual field of the national legal mentality, and as a result, the creation of a legal-anthropological "portrait" of Russian society.

Obviously, the Russian regions are characterized by, if not "their own", but still a special legal mentality and this is manifested in positions, value orientations, and the style of legal and political thinking, motivations, and models of people's legal behaviour. Regional state-legal self-consciousness is not only the identification of citizens with a certain territorial community and its legal and political foundations but also to a certain extent opposing oneself to the metropolitan community.

For example, one can agree that the Russian provincial state-legal consciousness is aimed at finding acceptable state-legal forms and institutions not "on the side", but in its own past, in the historical experience of the Russian people, and its statehood. Domestic history knows many examples when the signs clearly expressed in the provincial political and legal mentality (national unity, patriotism, traditionalism, etc.) acted as a necessary spiritual basis for the movement of various strata of the population and asceticism of individuals to save the Russian state during periods of acute civilizational crises (from the Turmoil to the reformist hard times of the late twentieth century). "Little", "ordinary" people, residents of Nizhny Novgorod, Kostroma, Yaroslavl, Don Cossack villages, etc. become "carers" about the fate of the state in the era of upheavals and transformations.

The cross-cutting vertical distinction of the domestic legal mentality implies the differentiation of the content concerning the main components of the national legal world, which is necessary in this case, presupposes a "metropolitan-regional" amendment, taking into account the mental specifics of its provincial and metropolitan bearers when analysing the essence and significance of numerous institutions standardizing legal mentality (mass media, law enforcement agencies, legal and judicial practice, legal science, etc.).

It is clear that political and legal rituals, values and symbols as ways of expressing the national political and legal mentality are present in both provincial and metropolitan mentality. However, the semantic and content, direction and, probably, the dynamics of their development will still differ.

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