

DOI: <https://doi.org/10.17816/RJLS637408>



New Russian Constitution

A.D. Kerimov

Institute of State and Law of the Russian Academy of Sciences, Moscow, Russia

ABSTRACT

The author considers the adoption of a new Constitution of Russia to be inevitable and necessary. While highly appreciating the content, potential and direction of the constitutional changes of 2020, he is meanwhile convinced that further accelerated progress in this direction is urgently required. This is due to the fact that at least four fundamental provisions of the Basic Law are subject to radical revision up to their decisive and final cancellation. This refers to Part 2 of Article 9 of the Constitution, which allows private ownership of land and other natural resources, Part 2 of Article 13, which prohibits state ideology, Article 2 which proclaims man, his rights and freedoms to be the highest value, as well as Part 1 of Article 1, which declares Russia a democratic state.

Keywords: Russia; Constitution; fifth column; private property; natural resources; values; ideology; West; democracy; rights and freedoms.

To cite this article

Kerimov AD. New Russian Constitution. *Russian journal of legal studies*. 2024;11(4):39–46. DOI: <https://doi.org/10.17816/RJLS637408>

Received: 23.10.2024

Accepted: 23.11.2024

Published online: 29.12.2024

УДК 342.4

DOI: <https://doi.org/10.17816/RJLS637408>

О новой российской Конституции

А.Д. Керимов

Институт государства и права Российской академии наук, Москва, Россия

АННОТАЦИЯ

Автор считает неизбежным и необходимым принятие новой Конституции России. Высоко оценивая содержание, потенциал и направленность конституционных изменений 2020 г., он вместе с тем убежден, что существует настоятельная потребность в дальнейшем форсированном продвижении в данном направлении. Это обусловлено тем, что как минимум четыре фундаментальных положения Основного закона подлежат кардинальному пересмотру вплоть до их решительной и окончательной отмены. Речь идет о части 2 статьи 9 Конституции, допускающей частную собственность на землю и другие природные ресурсы, о части 2 статьи 13, запрещающей государственную идеологию, о статье 2, провозглашающей человека, его права и свободы высшей ценностью, о части 1 статьи 1, объявляющей Россию демократическим государством.

Ключевые слова: Россия; Конституция; пятая колонна; частная собственность; природные ресурсы; ценности; идеология; Запад; демократия; права и свободы.

Как цитировать

Керимов А.Д. О новой российской Конституции // Российский журнал правовых исследований. 2024. Т. 11. №4. С. 39–46.
DOI: <https://doi.org/10.17816/RJLS637408>

The adoption of a new Constitution of Russia is inevitable and necessary. Many of the most important and fundamental provisions of the 1993 Constitution must be subject to immediate and major revision by all means. Today, this is beyond any shadow of a doubt among a significant share of nation-caring politicians and officials, thoughtful and responsible experts and analysts, and patriots, which, of course, is not surprising. It is not a secret that at the end of the 20th century, a law of supreme legal force was inspired and drafted by persons with radical liberal views and receiving financial support from the West, especially the United States, i.e. representatives of the fifth column per se. In addition, according to reliable information, foreign “professionals” took a direct and active part in its drafting. This had a tragic impact on its content, letter, spirit, and further development of our society and state. We still have to correct the mistakes made in that period and pay for betrayal of the interests of the Homeland by the criminal ruling clique headed by Yeltsin.

Sergei Baburin is absolutely right when he says that the Constitution has absorbed some valuable provisions that were conceived in the past, but along with this, many of its innovations are close to national capitulation and in the long run have become an obstacle that does not allow the people of Russia to shake off the obsession and rise from their knees [1, p. 14].

From the point of view of the majority of people, changes should be made to, inter alia, some provisions of Chapters 1, 2, and 9 of the Constitution of the Russian Federation,¹ for which it is required to convene the Constitutional Assembly (P. 2, Art. 135 of the C.). Its aim is to draw up the Principal Law, independently adopt it by two-thirds of the total votes of members of the Assembly, or put it to a referendum (P. 3, Art. 135 of the C.). The long overdue and urgent need for a new Constitution that echoes the challenges of the time is convincingly discussed by distinguished scholars, including Avakian [2, pp. 11–36; 3, pp. 21–38], Baburin [4, pp. 73–86; 5, pp. 11–15], Kleandrov [6, pp. 7–17], and Shulzhenko [7, pp. 39–55].

So far, in the current environment, the country’s supreme leadership, as we see, has considered it right, reasonable, and insightful not to initiate such a cumbersome, burdensome, and lengthy procedure, but to take a different path and dramatically amend individual provisions of Chapters 3–8 (Art. 136 of the C.), which we believe to be reasonable. Thus, it was possible, to a certain extent, to mitigate extremely negative and destructive effects, dramatic and harmful consequences of the application of Chapters 1 and 2, to make the main directions of the evolution of our State more specific, and to outline our values and ideals more accurately and clearly. In addition, fundamental changes

made to the 2020 Principal Law have significantly improved the mechanism of public administration, increased its quality, and marked the beginning of a new stage of political and legal transformations of eternal significance for the progressive development of both our country and the entire global community. It is worth noting that the meaning and the mobilization and creative potential of the relevant constitutional innovations are extremely important and even revolutionary. We believe that these changes are definitely positive.

Now, we would like to emphasize that the above does not in any way remove from the agenda the intense urgency and need to prepare and adopt a new Constitution in the near future. Let us discuss just a few examples proving the standpoint articulated and defended by us and some like-minded colleagues.

1. According to P. 1, Art. 9 of the C., land and other natural resources are declared the foundation of life and activity of the peoples living in Russia. However, paradoxically, it is admitted that they may also be privately owned (P. 2, Art. 9 of the C.). It is significant that this type of ownership (not state, municipal or any other types) is mentioned in the first place.

But, as it is clear from the article mentioned above, nothing prevents certain characters, i.e. representatives of the bourgeois class, primarily the big capital, from seizing and owning all these resources by deliberately and cynically depriving the state, municipalities, and other constituent entities of the opportunity to own, use, and manage them for the benefit of the entire population. Weren’t we moving rapidly and persistently in this direction not long ago, i.e. in the 90s of the 20th century? Does the private property by default, per se, inevitably imply tireless, unconditional, and reverent care for the common good? One gets the persistent and reasonable impression that everything usually happens in just the opposite way. Capitalist enterprises and private corporations are entirely focused on satisfying their own purely earthly financial needs to gain the most possible profit. To care for the common good is the design of the state. This is its greatest concept and purpose.

In addition, it is absolutely clear that the resources created by nature over millions of years and used for social production are the assets of all citizens of any individual country. Under no circumstances should they be exclusively owned by a small group of people who receive fabulous incomes through their intensive, usually uncontrolled and unlimited, commercial exploitation. Otherwise, the basic and immutable principles of social justice are grossly violated.

However, from ancient times, even before our era, people have realized that justice is the unshakable foundation of the state. For example, the famous ancient Greek lyricist Pindar (c. 518–442 BC) insisted on this [8, p. 249]. Plato (427–347 BC) expressed his thoughts in the same vein, as did many others. According to a great philosopher, falsehood reaches its limit when the unjust is treated

¹ Below, the paragraphs, parts of articles and the articles of the Constitution of the Russian Federation are designated based on the established abbreviations: Para., P., Art., C.

as just [8, p. 249]. When private ownership of natural resources enthroned itself almost throughout the planet, this is exactly what happened. The falsehood has reached its extreme limit and has become flagrant and disgustingly immoral.

The current state of affairs, which is tirelessly guarded by the high and the mighty, i.e. the ironclad inviolability of their title to the mineral wealth, to creation of which they had no and could not have had the slightest relation, is justified by them in every possible way. It is justified from the rationally theoretical, moral and ethical, and religious standpoint. This privilege is shamelessly presented by them as perfectly acceptable, completely natural, reasonably conditioned—moreover, expedient—and sometimes even providential. Particularly depressing and shocking is that the majority of humanity seems to have put up with it.

2. It is surprising and outrageous that state ideology is prohibited at the constitutional level. Part 2, Art. 13 of the C. clearly and unequivocally proclaims that no ideology shall be established as state or mandatory. This provision has already damaged and continues to enormously damage our Homeland. It has greatly hampered and continues to hamper the historical mission of the people, policy makers, scholars, and experts to contain the aggressive expansion of liberal and globalist visions and values imposed by the West.²

Moreover, it is an ultimate absurdity, a complete nonsense. After all, the above provision contradicts, for example, P. 5 of the same Article of the C., in a most direct and clear manner. It prohibits creation and activities of public associations whose goals and actions are aimed at a forced change of the fundamental principles of the constitutional system and at violating the integrity of the Russian Federation, at undermining its security, at setting up armed units, and at instigating social, racial, national, and religious hostility.

We present this extract (very close to the original, almost word for word) with only one purpose—to specifically demonstrate, to clearly show that even a separate short fragment can state the key elements, cornerstones, and unyielding principles of our state ideology. It goes without saying that the latter, to a greater or lesser extent, is enshrined in many articles of the Constitution, other regulations, and various official documents. No doubts that the state ideology, which principles, premises, and maxims both ordinary citizens and officials shall adhere to, exists *de jure*. It also exists *de facto* as it is expressed in actual decisions and actions of various actors, primarily those endowed with public authorities.

Republics and monarchies, democracies and autocracies, both from the remote past and modern era, regardless

of their affiliation with any civilization and form, are invariably guided by a certain ideology. It has existed and will exist, although sometimes there is a deceptive feeling, an illusion of its absence. Therefore, to prohibit it in the Principal Law, especially in a country like ours, is overwhelming and ultimate stupidity.

At the current extremely hard and fatal stage of historical development, we, our Homeland, need a state ideology to survive. And it does exist. However, for now, it still has the most general, somewhat uncertain, scattered, unfocused shape, it remains in somewhat shapeless, amorphous, loose state, as disparate, ill-concerted, and poorly interconnected individual principles and provisions. However, we need a balanced, clearly verified, crisp and understandable, distinct and intelligible system of fundamental postulates, indisputable axioms, and initial assumptions, which, by the way, we cannot do without.

Here, we can afford no delay. It is necessary to urgently address—and in a strictly objective and clear manner rather than an abstract, speculative manner—the vital issues that have not been solved (or completely solved) by us: where, in what direction is Russia moving and should move as a unique country and an authentic civilization? What mix of economic and political relations do we expect to create? What are our strategic goals in the main areas of life, our cherished hopes and ethical ideals? What kind of society in its substantial forms and designs do we strive to build? What kind of world do we want to see in the 21st century globally and what is the role of our State in it, etc.?

As always, thoughts of Aleksander Zinoviev (1922–2006) on this topic are of interest. Back in 2005, he wrote that after the collapse of the Soviet communist bloc, the USSR itself, and the defeat of the socialist system in the countries of the corresponding part of the planet, an era of evolutionary decline and total social reaction began. The most important components of the latter were artificially generated and in every way encouraged general confusion of minds, resuscitation of the backward ideologies of the past, and the invention of new ones of, unfortunately, the same mental level and the same focus. The West led by the United States implemented this reactionary practice without any formidable obstacles that could stop it or at least slow it down. Today, it proceeds with this practice.

The process triggered by it, as Zinoviev goes on, threatens the existence of billions of people on Earth, in fact, all *Homo sapiens*. In the scholar's opinion, it is only possible to block this process through conception of a new ideology of Marxism scale, but surpassing it in intellectual power, meeting the circumstances and needs of the third millennium [10, p. 69]. The task, as we see it, is difficult, but feasible. And it is required to address it as soon as possible.

3. We, along with a many fellow social researchers, have critical considerations and strong objections to the provisions of Art. 2 of the C. We remind that they declare a person and

² Nikolay Berdyaev (1874–1948) is undoubtedly right when he argues, "The desire for endless expansion is the basis of the capitalist world with all its deceptions, reverses and contradictions" [9, p. 191]. Here, one must bear in mind the fact that this expansion refers not only to the economic domain and ownership, which the outstanding philosopher writes about in this extract. It obviously applies to other areas of human existence, including political, ideological, and spiritual and moral.

his or her rights and freedoms the highest value.³ The State must recognize, respect, and protect them.

At first glance, it may seem that everything is stated correctly, reasonably, and flawlessly. However, it is an incorrect, and we must emphasize it, deeply erroneous impression. Despite the fact that the provision of the second part of this Article seems reasonable and necessary (perhaps few would dare to challenge its imperative requirement for state institutions and structures), the previous phrase (or the first part of the Article) is vicious and, thus, unacceptable.

Its, so to speak, overconfident and blatantly audacious position in relation to the vast, omnipotent, and harmonious cosmos calling, *per se*, to consider an individual as the axis of the world, to consider it the center of the universe, to excessively extol it, is rejected by the Russian state of mind, by the attitudes, convictions, traditions, and customs of other ethnic groups that have lived in Russia since ancient times. We mean sincerely religious people who profess Orthodoxy, which has played a huge positive role in shaping and development of Russian culture and spiritual mindset, and adepts of other faiths, which we have many. We also mean those people who, being permeated with a secular mindset, have atheistic views, but at the same time, like all Christians, Muslims, Jews, and Buddhists, do not think at all that an individual and his or her rights are the highest value.

For a vast number of our fellow citizens (whether they are adepts of various religions, or consistent materialists who deny the existence of the Almighty and, accordingly, its *apriori* righteous and fundamentally incomprehensible providence, or persons who have not yet made up their minds on their own attitude to God), there, undoubtedly, exist values of a supra-personal level that extend in their significance beyond concerns about an individual's fate and even his or her life. Since time immemorial, we have established predominance of the whole over its parts, the priority of the communal over the personal. The majority of our fellow citizens see as primarily important such concepts and the objects, phenomena and subjects they designate, which are quite realistically felt and understood, such as the Homeland, faith, duty, love, friendship, honor, conscience, etc. The idea of selfless and inspired sacrifice, calm inner readiness for zealous and apostolic service, for great creative feat of self-sacrifice organically inherent in the Russian spirit is directly connected with them.

This particular sacrificial and mass heroism is immanent to our multinational people. And it visibly, especially clearly reveals itself in difficult, tough years of terrible trials: during times of cruel, sanguinary war. Today, as during the Second World War, the invasion of Napoleon's hordes in the 19th century, etc., we witness every day, thanks to the dedicated work of war correspondents, truly heroic deeds, valiant acts, and noble achievements of Russian soldiers and

officers at the Special Military Operation (SMO) in Ukraine⁴ caused by the misanthropic policy of the West and quickly transformed into an open clash with the forces of the hostile NATO led by the United States.

The above-mentioned and other supra-personal, if you wish, highest priority values should under no circumstances be equated, at least, with many of the rights and freedoms of citizens. Indeed, is it worth putting the above concepts on the same level with, for example, such rights as those enshrined in the Constitution, which are undoubtedly very important, but still in a certain sense secondary, such as the right to receive qualified legal assistance (Art. 48, P. 1); the right to rest (Art. 37, P. 5); the right to apply personally, to submit individual and collective appeals to governmental and local authorities (Art. 33); the right to assemble peacefully, without weapons, hold rallies, meetings and demonstrations, marches and pickets (Art. 31); the right to association, including the right to create trade unions (Art. 30, P. 1), etc.? Isn't it absurd to rank the aforementioned and a variety of other human rights and freedoms as the highest values? The answer, as we see it, is evident.

4. P. 1, Art. 1 of the C. proclaims Russia a democratic federal, rule-of-law state with a republican system of government. In this Article, we have a persistent rejection (both emotionally and rationally) for the only concept—democracy. We believe that it should be deleted from the text of the Principal Law. We shall do our best to support our position with arguments.

Democracy, thanks to "endeavors" of the Western ruling elites, has finally discredited itself. It is in crisis. The crisis is systemic and large-scale, deep and comprehensive, lingering and painful. For a long time, this fact has been unconditionally admitted by many politicians, scholars, analysts, and experts representing various branches of social and humanitarian science, by ordinary but caring voters. And, as it is commonly known, not only in this country, but substantially everywhere.

Here, of course, we do not mean those who, from the very beginning, from the moment of conception of this governance method, acted as its irreconcilable ideological opponents. And they are, we should say, many.

There is abundant evidence of the crisis of democracy, which will most likely lead either to its total collapse or to rigorous formal legal and actual restrictions of operation of its institutions and structures, techniques and methods in the near future. We mean serious defects, persistent and dangerous vices and flaws of this political system, which have surprisingly clearly and prominently manifested and continue to manifest themselves throughout its existence and specifically at the current stage. We shall not dwell on them; they have been described in detail in our previous papers [11].

³ They are declared, as Baburin shrewdly noted, "Jesuitical" [1, p. 14].

⁴ According to Russian grammar rules, one should say "на Украине" (i.e. at Ukraine) instead of "в Украине" (i.e. in Ukraine).

Let us focus on just one of them. It took the humanity, the part of it that lives under republican rule (actually under a monarchy, if a crowned person rules over his or her subjects purely nominally; whereas in reality others, who have become leaders by popular vote, dominate), a very short period in historical terms to get convinced that the elite elected by the population and dominating in a society organized as a state—presidents, deputies, senators, and the ministers appointed by them, and other persons who head the executive branch of government, and the judicial branch—are, for the most part, no better than those who inherit a privileged position—tsars, kings, princes, dukes, barons, etc. No better means that they are not necessarily smarter and more educated, more competent and professional, more honest and conscientious, etc., than aristocrats of all stripes and colors. Elections as an integral attribute of democracy do not ensure this. Contrary to expectations, they do not guarantee supremacy of the worthiest.

Anyone who thoughtfully, thoroughly, and comprehensively studies the phenomena of democracy, its true content, its specific forms and types, naturally faces a series of questions: why, at the end of the day, is it in such a painfully depressed condition, in a condition of catastrophic decline, spiritual degradation, and cultural backslide? What are the reasons behind it? Why does it experience overwhelming crisis?

It is clear that the resulting situation cannot be caused by malicious actions alone, but by harmful manipulations only undertaken by the establishment of the Western countries. The latter, striving at all costs to maintain its dominance, purposefully and methodically has distorted for many years and continues to distort the apriori noble meaning, emasculated and continues to emasculate the original high purpose of democracy focused, at least in its conceptual intent, on achieving justice. No, this is not the point here. The fact is that democracy is flawed from the moment of its birth. Therefore, selecting it as the main method, the universal principle of building government system in the state and giving it the status of official ideology is absolutely unjustified and inevitably destructive for any society.

It is worth emphasizing that constant, brutal and cynical distortion of its basic provisions in real life has occurred and continues to occur in the Western world simultaneously with a kind of deification of it, with its transformation into a sacred cow, and almost worshipping it. It is a paradox, but it can be explained. As it might seem, both of these mutually exclusive processes are beneficial, or rather, vital for the bourgeoisie, because they meet its class interests. Capitalism and democracy are closely related to each other; they mutually determine and reproduce each other [12, pp. 12–23]. However, from the standpoint of the oligarchy and its especially gifted and sophisticated minions (not all accomplices and servants of the nobility have proper qualifications), both democracy and capitalism often need significant, sometimes radical, adjustments. After all, the priority goal of the Western

elites is to preserve and strengthen their power and wealth rather than to ensure genuine freedom, social justice, and market relations by all means, or to protect the rights of citizens, the sacredness of private property, democratic principles of organization and functioning of society, etc., etc. proclaimed by advocates of the bourgeois system.

However, let us go back to our statement about the original flaw of democracy and the ideology accompanying it. The author of this article is deeply convinced (as opposed to the opinion championed by many researchers) that it is its original flaw that determines the crisis experienced by it today. This state of affairs appears to us as a logical outcome, a natural result of the triumphant establishment and subsequent evolution of institutions and structures, attitudes and values of liberal democracy in the Western ecumene. It has always contained an inside, hidden from the frivolous eye, but quite a real possibility of its future degradation, its potential decline, and disintegration.

This possibility, which, as we see, has become tangible at the current stage of our history, is due to the fact that the content of democracy as a social and cultural phenomenon can be largely declared insignificant.

This fact was analyzed and brilliantly described more than a century ago by Nikolay Berdyaev. Since then, surprisingly enough, it has been almost condemned to oblivion. Turning to spiritual foundations, musing about the very idea of democracy, he emphasized that, “It in itself does not know its content and has no content within the limits of the principle affirmed by it” [13, p. 466], that it does not want to know what for, in the name of what the will of the people is expressed, and does not want to subordinate the will of the people to any higher purpose [13, p. 466].

Democracy, having initially found itself captured by its own dominant and defining attribute or, if you will, its guiding principle, its most important principle (which it “cherishes above all and which it does not want to make subordinate to anything” [13, p. 466]), namely the expression of the will of the majority, as a sufficient and unique basis for decisions and/or a choice, immediately revealed its emptiness. After all, the above principle is a purely formal principle, shamelessly reeking of vulgar reductionism, calling for the one to bow humbly, always and under all circumstances, one’s head before outnumbering quantity. Democracy, as is rightfully noted by Nikolay Berdyaev, “allows the disclosure of the truth to be made through a decision by the majority of votes” [13, p. 466]. And piety, a cult of an exclusively quantitative principle, recognition of the “power of quantity,” worship of universal suffrage are only possible with disbelief in the truth and ignoring it. “He who believes in the truth and knows the truth does not surrender it to the mercy of the quantitative majority” [13, p. 466].

Democracy, primarily guided by the principle of majority rule, is alarmingly indifferent to its quality, its moral and intellectual content. It is by no means concerned with discovering a not always obvious, but otherwise often

secret, hidden, deep direction, and purposeful focus of this will. Eventually, democracy appears as a rather primitive organizational mechanism, nothing more than an unsophisticated technology offering a painfully simple and clearly inappropriate way of shaping governmental systems and managing modern, incredibly complex and increasingly complex social systems.

A rather critical attitude we show toward democracy is intensified manyfold as we clearly realize that this characteristic feature of it cannot be completely eliminated. This is understood, or rather intuitively perceived, by its champions. As they strive with all their might to level out the above distinctive feature of democracy as much as possible, they skillfully invent and introduce many new types of it. We must admit that sometimes their efforts bring some petty fruits. Academic, pseudoscientific, political, and journalistic circles have been and keep writing about all sorts of democracy, have discussed and keep discussing all sorts of its models and varieties. In addition to the long-known and actually implemented direct and representative democracy, they have spoken and continue to speak about sovereign, deliberative (advisory),

consensus, majoritarian, minimalist, participatory (inclusive democracy), plebiscitary, managed, aggregate, institutional, economic, and other types and concepts of democracy. But most attempts of democracy champions to decorate it, or rather, to have it to come to terms with new phenomena of social and economic and political life, to the rapidly changing circumstances of social life, consistently prove to be futile and are in vain. And it's not a surprise. However, its main principle remains unchanged, one might even say unshakable and at the same time dominant (rejection of it is equal to rejection of democracy), namely the principle of worshipping the will of the majority, which completely emasculates any meaningful content, allowing to easily, thoughtlessly, and without a second thought free oneself from burden of ethical choice, service to any higher purpose or inspiring idea in any situation.

We can go on citing plenty of evidence and specific examples to illustrate unacceptability of a number of constitutional provisions. They are well-known to experts. All of them eloquently testify to the need to adopt a new Constitution of Russia with no room for the above-mentioned and other inconsistencies, flaws and defects found in it.

REFERENCES

1. Baburin SN. Reform of the Constitution of the Russian Federation in 2020: the return of constitutionalism to the national route. *Journal of legal sciences*. 2020;(2):13–17. Edn: QSSTXO doi: 10.21777/2587-9472-2020-2-13-17
2. Avakyan SA, editor. *Gaps and defects in constitutional law and ways to eliminate them: proceedings of the international scientific conference*. Moscow: Moscow State University Publishing House; 2008. 729 p. (In Russ.) EDN: QCQSJN
3. Avakyan SA. Practice of constitutional reform: certain problems. *Moscow University Bulletin. Series 11. Law*. 2011;(1):21–38. EDN: NXNPF
4. Baburin SN. Preventing the euthanasia of humanity: morality and integration constitutionalism as the basis for the transformation of modern law. *State and Law*. 2021;(6):73–86. EDN: ERRBWZ doi: 10.31857/S102694520015033-7
5. Baburin SN. Elimination of moral neutrality of public government as the primary task of Russian constitutionalism. *Constitutional and Municipal Law*. 2024;(9):11–15. EDN: AITRPX doi: 10.18572/1812-3767-2024-9-11-15
6. Kleandrov MI. On the inevitability of the development and adoption of a new constitution of the Russian Federation and what should be in her. *State and Law*. 2022;(1):7–18. EDN: GKXNPD doi: 10.31857/S102694520018267-4
7. Shulzhenko YuL. Reality, stability, dynamism, rigidity, flexibility of the constitution of the Russian Federation. *State and Law*. 2024;(4):39–55. EDN: OCSGZD doi: 10.31857/S1026945224040029
8. Shoikher VYu. *Anthology of Wisdom*. Moscow: Veche; 2007. 847 p. (In Russ.) EDN: QWSJSL
9. Berdyaev NA. *On the purpose of man*. Moscow: Respublika; 1993. 382 p. (In Russ.) EDN: TJNGST
10. Zinovieva OM, Blinov AS. *Alexander Zinoviev – Russian destiny*. Moscow: Alexander Zinoviev Biographical Institute; 2022. 99 p. (In Russ.)
11. Kerimov AD. *Democracy: an experience of critical analysis*. Moscow: Norma; 2019. 182 p. (In Russ.)
12. Kerimov A. Capitalism and democracy. *Questions of Philosophy*. 2019;(4):12–23. EDN: ZPSVLV doi: 10.31857/S004287440004787-0
13. Berdyaev N. *New Middle Ages. reflections on the fate of Russia and Europe*. Moscow: Phoenix; 1991. 81 p. (In Russ.)

СПИСОК ЛИТЕРАТУРЫ

1. Бабурин С.Н. Реформа Конституции Российской Федерации в 2020 году: возвращение конституционализма на национальный маршрут // Вестник Московского государственного университета имени С.Ю. Витте. Серия 2. Юридические науки. 2020. № 2(24). С. 13–17. EDN: QSSTXO doi: 10.21777/2587-9472-2020-2-13-17
2. Пробелы и дефекты в конституционном праве и пути их устранения: материалы Международной научной конференции / под ред. С.А. Авакьяна. Москва: Издательство Московского государственного университета, 2008. 729 с. EDN: QCQSJN
3. Авакьян С.А. Практика конституционных реформ: некоторые проблемы // Вестник Московского университета. Серия 11: Право. 2011. № 1. С. 21–38. EDN: NXNPFF
4. Бабурин С.Н. Предотвратить эвтаназию человечества: нравственность и интеграционный конституционализм как основа трансформации современного права // Государство и право. 2021. № 6. С. 73–86. EDN: ERRBWZ doi: 10.31857/S102694520015033-7
5. Бабурин С.Н. Преодоление нравственного нейтралитета публичной власти как первоочередная задача российского конституционализма // Конституционное и муниципальное право. 2024. № 9. С. 11–15. EDN: AITRPX doi: 10.18572/1812-3767-2024-9-11-15
6. Клеандров М.И. О неизбежности разработки и принятия новой Конституции Российской Федерации и что в ней должно быть // Государство и право. 2022. № 1. С. 7–18. EDN: GKXNPD doi: 10.31857/S102694520018267-4
7. Шульженко Ю.Л. Реальность, стабильность, динамизм, жесткость, гибкость Конституции Российской Федерации // Государство и право. 2024. № 4. С. 39–55. EDN: QCSGZD doi: 10.31857/S1026945224040029
8. Шойхер В.Ю. Антология мудрости. Москва: Вече, 2007. 847 с. EDN: QWSJSL
9. Бердяев Н.А. О назначении человека. Москва: Республика, 1993. 382 с. EDN: TJNGST
10. Зиновьева О.М., Блинов А.С. Александр Зиновьев – русская судьба. Москва: Биографический институт Александра Зиновьева, 2022. 99 с.
11. Керимов А.Д. Демократия: опыт критического анализа. Москва: Норма, 2019. 182 с.
12. Керимов А.Д. Капитализм и демократия // Вопросы философии. 2019. № 4. С. 12–23. EDN: ZPSVLV doi: 10.31857/S004287440004787-0
13. Бердяев Н. Новое средневековье. Размышление о судьбе России и Европы. Москва: Феникс, 1991. 81 с.

AUTHOR INFO

Alexander Dzh. Kerimov, Dr. Sci. (Jurisprudence), professor, chief researcher; eLibrary SPIN: 7041-9829; e-mail: 8017498@mail.ru

ОБ АВТОРЕ

Александр Джангирович Керимов, д-р юрид. наук, профессор, главный научный сотрудник; eLibrary SPIN: 7041-9829; e-mail: 8017498@mail.ru