

Artículo de investigación

State power in modern society: the problems of understanding and investigation

El poder estatal en la sociedad moderna: los problemas de comprensión e investigación

Poder do Estado na sociedade moderna: os problemas de compreensão e investigação

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Abstract

The article analyzes the problems associated with the understanding of state power, as well as theoretical and methodological innovations and research tools used in the study of this political and legal phenomenon. The authors analyze various directions of the legal, political and socio-cultural definition of state power, identify and discuss various dimensions and levels in the conceptualization of the latter. In the context of the paper, the government is as a complex political and legal phenomenon, considered as a specific type of general system of public authority, which is implemented by various political subjects, which have a rigid link to the socio-cultural and territorial space.

Keywords: Power, state, discourse, culture, political system, law, society.

Resumen

El artículo analiza los problemas asociados con la comprensión del poder estatal, así como las innovaciones teóricas y metodológicas y las herramientas de investigación utilizadas en el estudio de este fenómeno político y legal. Los autores analizan varias direcciones de la definición legal, política y sociocultural del poder estatal, identifican y discuten varias dimensiones y niveles en la conceptualización de este último. En el contexto del documento, el gobierno es como un fenómeno político y legal complejo, considerado como un tipo específico de sistema general de autoridad pública, que es implementado por varios sujetos políticos, que tienen un vínculo rígido con el contexto sociocultural y territorial. espacio.

Palabras claves: Poder, estado, discurso, cultura, sistema político, derecho, sociedad.

Resumo

O artigo analisa os problemas associados à compreensão do poder do Estado, bem como as inovações teóricas e metodológicas e ferramentas de pesquisa utilizadas no estudo desse fenômeno político e jurídico. Os autores analisam várias direções da definição jurídica, política e sociocultural do poder do Estado,

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identificam e discutem várias dimensões e níveis na conceituação do último. No contexto do trabalho, o governo é um fenômeno político e jurídico complexo, considerado como um tipo específico de sistema geral de autoridade pública, que é implementado por vários sujeitos políticos, que têm um vínculo rígido com as relações socioculturais e territoriais. espaço.

Palavras-chave: Poder, estado, discurso, cultura, sistema político, direito, sociedade.

Introduction

In modern research practice, we have, strange as it may seem, a very significant gap, and sometimes a contradiction between the conceptual field of the concept “power” and the theories of state power. Thus, almost all the sciences concern the phenomenon of power, one way or another connected with society, and fundamentally investigates state power in its political and legal dimension, as a rule, within the framework of legal discourse. In the political science system of knowledge mainly studies the essential foundations, systemic signs, and so on, and above all, political power. And quite rarely, especially in Russian political science, there is a comprehensive consideration of state power. In the overwhelming majority of studies, state power is considered as one of the types of political power, without due consideration of the essence of this phenomenon itself.

In this connection, D.A. Karimov is, undoubtedly, right that “the study of the problems of the state is occupied by the only branch of knowledge – legal science, not even legal science in general, but only the general theory of state and law” (Kerimov, 1986). Moreover, “the general theory of state and law was not able to sufficiently develop within the scope of legal science, because, whether we wanted to or not, state activity is analyzed formally only in institutional terms within the framework established by legislation, i.e. to a large extent through “legal points” (italics of ours – authors)” (Yavich, 1989; Ball, 1993), Yavich expands on this idea.

Today, we can state a significant “lack of analysis and understanding of the nature of the most common parameters (changes) of statehood” (Mamut, 2003), - writes modern state expert L.S. Mamut. There is no doubt that the “pure” legal understanding of the public life of society is not always capable of producing tangible (both theoretical and practical) results, because the various hypostases of sociality never exist in isolation but complement and develop each other.” (Rozin, 2000).

The present paper substantiates the necessity of a comprehensive socio-political study of this phenomenon. Such a view of the problem indicates that when considering state power in terms of a particular society, the researcher always faces a successively reproducible system of ideas about state power, i.e. the socio-cultural mechanism of production and reproduction of the image of power. The role of these socio-cultural factors, according to A.I. Solovyov’s fair remark, “often turns out to be significantly higher than the impact on the political process of institutional structures or constitutional and legislative legal norms” (Solovyov, 2002). It can be generally said that the use of the concepts “power”, “political power”, “state power” always bears a large amount of value and spiritual and moral pressure. Today, this is indicated by many foreign (P. Bourdieu, E. Giddens, W. Connolly, S. Lukes, C. Taylor, M. Foucault, and others) and domestic (A. M. Velichko, V. Y. Vereshchagin, A. Y. Mordovtsev, A.I. Ovchinnikov, Y. S. Pivovarov, D. E. Furman, etc.) researchers of state power (Lyubashits et al, 2017; Baranov et al, 2015).

Literature and Research Approaches Survey

There are many approaches to understanding the concept of power, the complexity and multidimensionality of this definition gives rise to a variety of opinions and points of view, which leads to the inevitability of disputes regarding the content and use of this term. So, for example, P. Morris, trying to disclose the general conceptual and political basis for the term “power”, undertook a scrupulous study of various conceptual constructions of this word in his work “Power: a Philosophical Analysis” and showed that, this term is used in real and theoretical (scientific) practice not only in different ways but often in general to refer to various phenomena (Morris, 1987). Especially, from his point of view, such a disagreement is characteristic of the political sphere. It is worth pointing out that if the nature of power is generally revealed in a wide

conceptual space, then it is quite difficult to encounter this diversity with respect to the term “state power”.

And the point is not only that the formulation of the concept “state power” from a methodological point of view is a consequence of the adoption of any theory of power, but also that most of the concepts of power transferred to the political plane, first of all, either become “weak” in explaining the political interaction of the subjects, the genesis and transformation of the political life of society, or they generally dissociate themselves from the state and legal components of power relations; secondly, they are confronted with the ideological and axiological attitudes of a particular society, they are unable to resist them, and therefore they remain abstract, speculative constructions. Nevertheless, in political practice, the issue of the essence of state power is much more relevant and significant than the reasoning about power “as such”. “For a modern person in general,” – notes S.A. Kotlyarevsky, – the problem of power in its relations to personal and public freedom appears, first of all, in the form of the problem of state power” (Kotlyarevsky, 2001).

Theoretical understanding of the phenomenon of power, as well as its conceptualization, faces, according to U. Connolly, the problem of irresistible “conceptual relativism” (Connolly, 1993). Because of this, it is worth dwelling upon one more methodological difficulty, connected with the fact that not a single rational and logically constructed concept of power is able to become universal, invariant and receive a general recognition, or, in other words, power (from the point of view of W. Connolly) becomes “essentially contested” concept (Ball, 1993).

Moreover, according to S. Lukes, an attempt to build any universal, generally accepted theory of power is in fact a big epistemological error: researchers are usually interested in various aspects of this phenomenon, and the general concept of power simply cannot be applied to all situations, to different areas of society and even more so to different historical eras: “We talk and write about power in countless situations, and we usually know very well (or think that we know) what we mean. In everyday life and in scientific work, we discuss the whereabouts of power and its limits, discuss who has more power, how to reach it, how to find it, resist it, save it or tame it, how to distribute it or extend

it, balance it or maximize it, how to do it more effective and how to limit its consequences or avoid them. There are endless disputes about this, and no end of them in sight, there is no even agreement whether all these differences make sense” (Lukes, 2010).

Moreover, it should be noted that the government used to be investigated within the framework of a complex scientific field of knowledge – state studies, which analyzed this phenomenon in various aspects of its functioning: political, formal-normative, socio-cultural, and so on. For example, well-known pre-revolutionary scientist V.M. Hessen argued that the general theory of the state should include at least three sections (Gessen, 1912).

- **Firstly:** the part (section) of state studies that includes the historical laws governing the development of the state and state power, on the basis of which various types and forms of the functioning of the state, certain regimes of state power are formulated; various community theories of the state are isolated, etc. In other words, this section deals with the state’s political encyclopedia. (Allgemeine Staatslehre).

- **Secondly:** this is a formal-regulatory section that reflects the national legal theory and the national legislation in force in one country or another.

- **Thirdly:** it is the political practice of exercising state power, determining the main priorities of the state’s development, applied aspects of power interaction and other characteristics of the political process, that is, this is a section that covers policy (Politika).

These three sections - “general state law”, “political encyclopedia of the state”, and “politics” – enable to comprehensively analyze state power, as well as state phenomena, processes in general, taking into account theoretical, methodological, institutional-political and imperiously practical (social -cultural, psychological, etc.) aspects of its functioning.

Today, such a systemic consideration of state power is practically not carried out. The whole corpus of the humanities studies this phenomenon either from a structural and functional viewpoint, or from a formal regulatory viewpoint (as mentioned above), and other aspects of its functioning are practically not taken into account. Generally, if the modern theory of

the state has not been updated almost since the end of the 19th century and the classical knowledge of the state which was systematized by the middle of the twentieth century to Soviet political and legal science, is copied from textbook to textbook, then the political branch of knowledge, on the contrary, is characterized by high emphasis on problematique.

However, the achievements of the Russian state school, modern political science in the study of political power and the theory of the state are not generalized and are not comprehensively reinterpreted with the goal of adequate knowledge of the phenomenon of state power and its development in the modern political process. In general, the absence of an interdisciplinary dialogue within the framework of the study of state power, its institutional and regulatory, structural and functional, formal and informal forms of organization and functioning should be taken into consideration.

The Main Body

Today, in the framework of political studies, there is a clear "theoretical and methodological impulse" in the knowledge of state-law phenomena, focused on the use of complex (interdisciplinary) approaches to the study of the phenomenon "state power". Within the framework of political science, knowledge about the institutional and legal configuration of state power, its corresponding types (classical, mixed, intertype, transitional, etc.) has developed substantially; about modern forms, methods, modes, official, unofficial, shadow, latent practices of its implementation; about the anthropological and civilization-cultural characteristics of its development, etc.

The challenges of our time, described differently by analysts, determine not only the need for intensive and adequate development and complication of the general concept of public administration, but, more importantly, the general conception of power in modern Russian society (Chirkin, 2008). This need is associated primarily with the incompleteness of state-building in Russia, with the intertype state of the national statehood, the need to determine the principles and priorities for the development of public administration. The most acute problem at present is the question of the adequacy and optimality of forecasting and regulating social processes, the effectiveness of realizing public interests and needs.

There is no doubt that power relations are born, more precisely generated, by a complex system of social relations, its specificity and culture-civilizational features. Any power, and especially state power, which has a publicly powerful, socially significant character, should have its own unique sources of legitimacy.

It should be immediately noted that this is not about the types of legitimacy proposed and analyzed by M. Weber but about the sources, the definition and revealing of the specifics of which depends on historical images, ideas and forms of realization and perception of power being specific to a particular society. The definition of these sources makes it possible to highlight national and historical models and practices of the government, and in addition, to see the level of legitimacy of modern forms and regimes of the government. Of course, the fact that the very phenomenon of state power is also tied to a specific temporary geopolitical and geo-legal continuum, within which the latter receives its existential status in six interrelated projections:

- **First:** in the value-normative (axiological), reflecting the sociocultural aspect that influences the ideological-theoretical, doctrinal, ideological and conceptual-semantic perception, understanding and interpretation of the essence, social role and significance of state power, determine its stability and legitimacy;
- **secondly:** in the structural and functional, in this context, state power is associated with a stable system of public institutions, its structural and functional characteristics, public and hidden models of relationships and interrelations in the system of state power, as well as issues of optimality, adequacy and efficiency its functioning, regulation of social relations, the realization of interests and needs that dominate the system "personality – society – state", resolution of conflicts and contradictions;
- **thirdly:** in the institutional and regulatory, here the state power is considered as a system of legal powers that constitute the content of state power, implemented to achieve legislatively defined goals;
- **fourthly:** in the instrumental and technological, according to which state power is analyzed as a system of organizational, material and symbolic resources necessary for the management apparatus to realize its functional goals and objectives as a special subject of political activity

involved in the accumulation, exchange and realization of the above resources;

- **fifthly**: in the sociological, with regard to this aspect, the system of state power is considered, on the one hand, as an interconnected set of specific political practices aimed at exercising public authority in society, and, on the other, is interpreted in terms of the latter's adequacy to social structures and cultural contexts, as well as the possibility of implementing a socially oriented legal policy, management decisions that take into account national and cultural characteristics;

- **sixthly**: in the geopolitical, state power is considered as a sovereign political organization in a certain territory that comprises supremacy, unity, and socio-political integrity.

Taking into account the selected elements of the knowledge of state power as a socio-political and public-law phenomenon, let us formulate the working definition of the latter. At the same time, we emphasize that state power as a complex political phenomenon is a specific type (link) of the general public authority system that is implemented by various political subjects (political parties and movements, public organizations and movements, trade unions, etc.) and other institutions of civil society (for example, the institutions of power of local self-government), which is tightly tied to the socio-cultural and territorial space. In addition, the political phenomenon of state power, as noted above, is always implemented in strict legal forms, regimes and procedures, which is one of the most fundamental differences between this type of public authority. It is also impossible to understand the functioning of state power in the modern political process, the main forms and regimes of state power, the prospects for the development of this phenomenon outside the institutional and regulatory dimension.

So, state power, from our point of view, should be interpreted as a system of officially recognized (legitimate and legal) power practices, procedures and institutions that organize and manage social processes, based on socio-culturally determined ideas, images, symbols in certain politically and territorially organized space characterized by sovereignty, functionality and resilience. In this regard, any state power is territorial, sovereign, national and sustainable. At the same time, the state power realizes the connection of various social (public) values, interests and needs with the general political

order, and also, in accordance with them, performs its functions and directs the development of the political and legal system of society, individual political institutions, formal and informal institutions of civil society.

Further, we note that all five dimensions are interrelated and mutually dependent on each other, they are not spontaneously formed, but develop on a definite national historical foundation and have a particular public-power thinking style peculiar to a particular society. All this form the unique flavor of the state life of the people, the vector of its development, which allows not only the management elite but also the very society to find its "self" (in its Hegelian understanding) (Lyubashits et al, 2016; Lyubashits et al, 2015).

Thus, the study of state power, its conceptual and political interpretation should proceed in the following main directions that reveal various generalized (grouped) discourses of state power: ideocratic discourse (macrodiscourse), institutional discourse (mezodiscourse) and sociological discourse (microdiscourse). Each historical epoch has a certain discourse of power, generated and maintained within a certain sociality, where discourse (in a philosophical sense) means a condition (linguistic, communicative, historical, etc.) that reveals and actualizes being for a subject, creates a special "background", the context of the existence of real phenomena.

In the light of this, discourse can be presented as a special style of thinking, acting and expressing about being (or by one concept - "thinking") that is characteristic of a certain socio-cultural environment (political, religious, scientific, etc.). Within the framework of the present political analysis of the state power system, discourse will be understood as a context, a special logic of the generation and functioning of communicative public-imperious practices and strategies. This is not only a specific arsenal of "tools" of social activity (language, symbolic and other structures), but also socio-cultural conditionality, the pattern of their existence and development. Discourse allows to see the cultural background, i.e. to consider the influence of social, ideological, political, legal, religious and other factors on the formation of specific social trends in the development of the "state power" phenomenon and its implementation in concrete historical practice. Therefore, in order to characterize the social nature of a phenomenon, in particular,

power, it is necessary in one or another historical period of time to “plunge” (reconstruct) into a certain discursive space connecting traditions and modernity, creating an intentional direction of perception and prerequisites for the development of certain social phenomena. (for example, understanding of the power and the development of power relations).

Summary

At the end of the paragraph we summarize the preliminary results:

- **Firstly:** the theoretical and methodological innovations in the study of power are rarely used in updating the research tools of cognition of state power. In this connection, according to our conclusion, there is a theoretical-methodological and conceptual-paradigmatic imbalance in the knowledge of state power in political science, since the nature of power and its social and political purpose are studied comprehensively, with respect to a wide theoretical-methodological aspect, while rule is analyzed, as a rule, only in the institutional and legal dimension.

Therefore, from our point of view, it is necessary to form a new scientific direction which involves a comprehensive analysis of state power as a socio-political phenomenon, including three main sections: 1) the theory of state power (or the political encyclopedia of state power); 2); ideological conceptual (doctrinal) bases for the development of the state power system; 3) institutional theory of organization and functioning of state power. In this area, the government is considered as a complex socio-political and law-cultural system, which is politically presented in officially recognized (legitimate and legal) power practices, socio-political procedures and technologies, public law institutions acting on the basis of socio-culturally determined ideas, images, symbols in a certain politically and geographically organized space.

- **Secondly:** state power in concrete historical and sociopolitical conditions should be analyzed in five interrelated dimensions: value-normative, structural-functional, institutional-normative, instrumental-technological, sociological and geopolitical. Moreover, all the five identified dimensions are interrelated and interdependent, they are not spontaneously formed but developed successively on a certain national and

cultural foundation and form a special (civilizational) style of public-power thinking.

Within the framework of the above projections of the study of power, firstly, the images and styles of the thinking power of the subjects of power are reconstructed, i.e. the path from the cultural-anthropological moment of power to more general axiological forms is carried out; secondly, specific technologies, techniques and methods of exercising state power are studied, where the institutional and regulatory beginning is one of the elements (factors) of streamlining and organizing public power relations; thirdly, one analyzes the very power relations that are formed in everyday practice, in which all power images and techniques “are born”, “liven up” and evolve. This is a field of research where specific power relations and strategies are considered, here they get their sociopolitical and legal (or non-legal) reality, and corresponding power knowledge and meanings arise here.

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