

## DYNAMIC STABILITY IN THE CHANGEABLE WORLD AND ITS LEGAL PROVISION

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**Abstract:** The work aims at analyzing the issues of legal provision of social stability as a prerequisite of global and national safety under the changeable conditions of the contemporary world order. To this end, the authors analyze the Strategy of National Safety of the Russian Federation, approved by the Russian President in 2015, the data of sociological research of 2015–2018, statistical data, and special literature. As a result, the common notion of stability is formulated, its varieties are distinguished, features and meaning are determined. The necessity for harmonious combination of stability and changeability is highlighted. The importance of law in providing stability is emphasized. The modern trend of perpetual growth of the number of laws is criticized, as it results in the decrease

of their quality, systemic character and steadiness of legislation. The conclusion is made that the key factor of providing safety is dynamic stability – a harmonious combination of stability and dynamism of all social processes.

**Keywords:** dynamic stability, dynamism, changeability, safety, stability.

### 1. Introduction

One of the features characterizing the contemporary stage of development of Russia and the whole world is the growing instability of political, economic, interracial and other processes. This increases the topicality of the global strategic stability as a factor of providing peace and safety of mankind and searching for the ways to

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optimize the balance between stability and dynamism in many spheres of public life and state development.

Recently, the Russian administration recognized that the strategic task and the main vector of the country development in the nearest perspective is the necessity to modernize the Russian society and state by improving the overall system of social relations and state structure. It was correctly noted that there is no alternative to the country modernization, as the Russia's lacing behind the leading states threatens the very existence of the country. Thus, it is actually the issue of the country's survival in the modern changeable world and the changing world order. The goal and tasks of the modernization process were to dramatically change all spheres of the state and society way of living, thus providing the new quality of the country's development and its joining the leading world states<sup>5</sup>.

In parallel to that, another trend was gaining strength and has recently become prevailing in the official policy

– namely, utmost enhancement of strategic stability, steady and seamless development of the human society as the crucial factor of providing the global and national safety. In this context, modernization was defined as a means to provide such stability.

## 2. Materials and methods

The idea of strategic stability was most fully expressed and officially formalized in the Strategy of National Safety of the Russian Federation, approved by the Decree of the Russian President of 31 December 2015 No. 683, which became the basis for forming and further implementing the state policy in the sphere of providing the national security of Russia (further – the Strategy)<sup>6</sup>. Thus, this document requires detailed analysis of its nature and content.

The notions, terms and definitions which we use in our research require etymological analysis, revealing their nature and content, thus we use reference books and dictionaries as sources.

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<sup>5</sup> Duyunov, V.K. 2012. Reformirovaniye ugolovnoy zakonodatelstva dolzhno byt obosnovannym [Reforming the criminal legislation should be well-grounded]. *Vestnik Samarskoy gumanitarnoy akademii*. No. 1(11). pp. 12-18.

<sup>6</sup> Decree of the President of the Russian Federation of 31 December 2015 No. 683 "Strategy of National Security of the Russian Federation". *Collection of legislation of the Russian Federation*. 2016. No. 1 (part 1). Art. 212.

To ensure reliability and clear illustration of the theoretical provisions, we use the data of sociological research by “Public Opinion” Foundation and “Levada Analytical Centre” in 2017-2018, as well as the data of expert research of the economic situation in Russia and the world, carried out by Credit Suisse bank in 2015.

To ensure objectivity and comprehensiveness of the research, the authors used works by Russian and foreign scholars in the spheres of Humanities (law, sociology, political science, philology) and Natural Sciences (mathematics, physics), as well as economic science and management, in particular, the works by V.V. Aleshin and N.V. Ostroukhov (2008), R. Crockatt (1997), V.K. Duyunov (1982, 2012a, 2012b, 2014), Yu.D. Ilyin (2007), L.D. Landau and E.M. Lifshits (1964), I.I. Lukashuk (2000), A.A. Malinovskiy (1970), V.V. Sorokin (2003, 2008), R.A. Timofeeva (2013), R.V. Zakomoldin (2001a, 2001b, 2015), and others.

### 3. Results and discussion

The Strategy, first of all, gives an estimation of the global international safety and the national safety of Russia, as well as the current and emerging

threats, defines the system of national interests and strategic national priorities aimed at providing the national safety of Russia, formulates the goals, tasks and system of measures in the sphere of internal and external policy aimed at strengthening the national safety and sustainable development of the Russian state in the long term.

This said, one of the key conceptions of the Strategy is *the idea of stability and stabilization*. In particular, all sections of the document repeatedly emphasize the issue of providing stability and strengthening the reliability of the Russian national security components. Actually, stability is viewed as a necessary prerequisite, an essential factor of the country’s security.

Thus, *Section II Russia in the modern world* speaks of the increased role of Russia in *providing strategic stability* and the supremacy of international law in inter-state *relations* (Art. 8); states “*the conditions of instability of the global economy*” (Art. 9); “*growth of global and regional instability*” (Art. 13); decrease of the “*stability of the international economic relations system*” (Art. 24); an growth of “*international instability*” (Art. 25); existence of the “*states with instable*

*internal political situation*” (Art. 20) (here and further italicized by the authors).

In connection with that, the task is set: “to prevent threats to the national security, the Russian Federation focuses its efforts at strengthening the internal unity of the Russian society, *providing social stability, concord between nationalities and religious tolerance, eliminating structural imbalances* in economy and its modernization, enhancing the country’s defense capabilities” (Art. 26).

*Section III Strategies* formulates definitions and provides lists of interconnected national interests and strategic national priorities of the Russian Federation aimed at ensuring its national security. At that, the Russian national interests are defined as “objectively significant needs of a personality, society and state in providing their protection and sustainable development” (Art. 6); to them the Strategy refers, in particular: *providing the firmness* of constitutional system, sovereignty, independence, state and territorial unity of the Russian Federation; strengthening the national concord, *political and social stability* of the state and civil society; *ensuring*

*steady demographic development* of the country; *maintaining strategic stability* and mutually advantageous partnership relations under polycentric world” (Art. 30).

The Strategy lists the key strategic national priorities, which are defined as “the most important directions of ensuring national security” (Art. 6). These include, first of all, *strategic stability* (Art. 31). The strategic objectives of the country’s state and public safety are preserving civil peace, *political and social stability in the society* (Art. 42).

A special subsection “Strategic *stability* and equal strategic partnership” speaks of the Russia’s active foreign policy aimed at “*creating a stable and sustainable system of international relations* (Art. 87), “*providing the global strategic stability*” (Art. 100); it says that “in the relations with the international community, the Russian Federation relies on the *principles of preserving stability and predictability* in the sphere of strategic offensive weapons (Art. 101) and “facilitates involving other states, first of all possessing nuclear weapons, and those interested in mutual actions for providing global safety, *into the process of ensuring strategic stability*” (Art.

102).

At that, “in order to *preserve strategic stability* the Russian Federation, in particular: facilitates *maintenance* of the international legal system, preventing its defragmentation, weakening and selective application, which *lead to instability and conflicts*; enhances creation of appropriate conditions to reduce nuclear weapons without hampering international security and *strategic stability*; facilitates *strengthening regional stability* (Art. 104).

It is important that it seems to be the first time that creating decent living conditions is recognized as a state policy priority at official level, together with the *necessity to ensure social and social-political stability in the country*.

The final part of the above document emphasizes that implementation of the Strategy “is aimed at developing the national economy, improving the living standards of citizens, *enhancing political stability* in

the society, strengthening the defense, state and public safety, increasing competitiveness and international prestige of the Russian Federation”.

Recognizing the importance of the trend of stability strengthening as a mandatory prerequisite of national and global safety, stipulated by the above Strategy and other official documents, we have to admit that the world order, undoubtedly, needs stability, steadiness, predictability, as the alternatives are, accordingly: instability, unsteadiness, unpredictability of eth political and public life. Such alternatives are, unfortunately, well known to our country due to its complex history. Undoubtedly, the world should be secured from insufficiently thought out, hurried, unnecessary changes. Stability and safety are interrelated conditions, achieved by constant efforts to ensure stability of public relations, world order in general, and its progressive development<sup>7</sup>.

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<sup>7</sup> See in more detail, e.g.: Zakomoldin, R.V. 2001a. Diskussionnye voprosy ucheniya ob objekte ugovovno-pravovoy okhrany i obshchestvennoy bezopasnosti [Disputable issues of the doctrine of the object of criminal-legal protection and public safety]. *Vestnik Volzhskogo universiteta imeni V.N. Tatishcheva*, Iss. 14, pp. 179-188. Togliatti: VUiT. Pp. 118-127. Zakomoldin, R.V. 2001b. K voprosu o

ponyatii i sotsialno-pravovoy kharakteristike obshchestvennogo poryadka kak okhranyaemoy ugovovnym zakonom tsennosti [On the issue of the notion of social-legal characteristics of public order as a value protected by criminal law]. *Vestnik Volzhskogo universiteta imeni V.N. Tatishcheva*, Iss. 13. pp. 118-127. Togliatti: VUiT. P. 184.

But what is stability, what are its features, characteristics and limits? Is any stability desired and necessary? What is the meaning of stability in social sphere, in the spheres of law and legislation, and what roles do the latter play in providing social stability?

In the Russian language, **stability** (from Latin: *stabilis* – steady, constant) is defined as “solidity, steadiness, continuity”<sup>8</sup>; “constancy of a certain condition or level”; “ability of the system to function without changing its own structure and to stay in balance”<sup>9</sup>. Stable (Latin: *stabilis*) means “Steady, constant, set at a certain level, not changing”<sup>10</sup>; “solid, steady, constant”<sup>11</sup>. Stabilization is “bringing into steady condition; maintaining the constancy of certain values, evenness, rhythm of certain processes, constancy of properties; state of firmness, constancy”<sup>12</sup>; “bringing into steady condition, solidification, making more

steady”<sup>13</sup>. To stabilize means “to bring into steady condition, state”<sup>14</sup>. Accordingly, “destabilization” (from French: *destabilization*) is “the process of depriving something of stability, steadiness”, which is opposite to stabilization<sup>15</sup>.

Judging by the above definitions, the **key, most general features of stability**, characterizing its most important properties, are the following features, analyzed below.

1) The notion of “stability (as well as the opposite notion of “instability”) is universal and multi-object, it has complex content – at one and the same time, it is philosophical, natural-scientific, politological, economic, legal, etc. This notion may characterize both space and time, physical, chemical, geological, social, psychological, medical, legal and other phenomena, processes, events, relations, etc. That is why this notion is widely

<sup>8</sup> Ushakov, D.N. 2005. *Bolshoy tolkovyy slovar sovremennogo russkogo yazyka [Grand Thesaurus of the Russian Language]*. Moscow: Alta-Print. P. 1005.

<sup>9</sup> Evgenyeva, A.P. (ed.) 1999. *Slovar russkogo yazyka [Dictionary of the Russian Language]*. RAN, Institut lingvisticheskikh issledovaniy. Moscow: Russkiy yazyk, Poligrafresursy.

<sup>10</sup> *Slovar inostrannykh slov [Dictionary of foreign words]*. 1986. Moscow: Russkiy yazyk. P. 470.

<sup>11</sup> Ozhegov, S.I. 1987. *Slovar russkogo yazyka [Dictionary of the Russian Language]*. Moscow: Russkiy yazyk. P. 661.

<sup>12</sup> *Slovar inostrannykh slov [Dictionary of foreign words]*. 1986. Moscow: Russkiy yazyk. P. 470.

<sup>13</sup> Ushakov, D.N. *Ibid.* P. 1005.

<sup>14</sup> Ozhegov, S.I. *Ibid.* P. 661.

<sup>15</sup> Ushakov, D.N. *Ibid.* P. 177.

used to characterize various objects: the objectively existing or imaginary phenomena, processes, events, conditions, etc., characterizing both the human existence and certain spheres of public life (political, economic, legal, etc.). At the same time, it may have a more specific meaning (for example, stability of wage payment, a law, a legal norm, etc.). Accordingly, the types of stability can be distinguished and classified by various grounds: global, international, national, strategic, economic, political, social, financial, state, legal, psychological, etc. The uniting conception for them is the set of features described below.

2) As a rule, and in the social sphere probably always, the object of stability has a rather complex internal structure and is a system of elements, interconnected with each other and with the environment. Depending on the closeness of these connections, one may distinguish the following systems: “discrete” (population) ones, where “individual elements are connected with each other not directly but through their

attitude to the environment”; rigid ones of “organism type”, with strong links between the elements and weak links between the elements and the environment, when “changing of one element leads to changes in other parts of the system”<sup>16</sup>; and intermediate between the above type – systems with various combinations of the discrete and rigid structures<sup>17</sup>. The character of interaction and the closeness of links have determining influence on the object’s stability, existence, and development. Thus, stability of the political, legal and other systems of a state largely depend on the stability of the country’s economy and, in turn, influence it. The stability of legislation largely depends on the stability of public life.

3) Steadiness, solidity, constancy of the object, its structure and functions. This feature is directly connected with the notion of norm, as it is the ability of the object to sustain the state which is normal for it, corresponds to its purpose and function. For example, in the social sphere it is the optimal state of an object, corresponding to the rules generally

<sup>16</sup> Malinovskiy, A.A. 1970. Teoriya struktur i ee mesto v sistemnom podkhode [Theory of structures and its position in the systemic approach]. *Sistemnye issledovaniya*. Moscow. P. 14.

<sup>17</sup> Duyunov, V.K. 1982. Sistema dopolnitelnykh nakazaniy [System of additional punishments]. *Izvestiya AN Kirg. SSR*. No. 6. P. 64.

accepted under the current historical conditions and characteristic for the public existence, or representing the desired model<sup>18</sup>. Accordingly, in the legal sphere, stability is sustainable state of the legal system in general and the legislation system, their ability to retain their essential characteristics and to duly function without significant dramatic changes for a relatively long time<sup>19</sup>.

4) Presence of sufficient grounds for stability and solidity of an object, for objective necessity and demand for it.

Stability of any social system is a consequence of natural and natural-historical processes. In particular, for stability in the legal sphere it is necessary that the public relations, protected and regulated by law, remain stable.

One should agree with V.V. Sorokin who, marking the great role of Constitution in stabilizing the public-political life of a country, at the same time believed that “it can define the most common conditions of the society stability, implying the ideals of public

development and forms of settling conflicts between the branches of power”<sup>20</sup>, but no more than that. The author correctly noted that the grounds for true stabilization would appear no sooner than “when within the law implementation process the stable, predictable social relations start to form between the subjects of law. ...The state does not become democratic or legal if the corresponding definitions are stipulated in the Constitution. Nor does a civil society appear due to that. That is why not formal-legal, but truly factual situation in the society characterizes its stability. Thus, with the help of the Constitution, conditions for stabilizing the public life are created, but not stability per se”<sup>21</sup>.

Also, one should agree with K. Marx that the basis relations – economic production relations, and, first and foremost, property relations – determine the society development. Their condition determines the superstructural relations: political, legal, social, cultural, spiritual,

<sup>18</sup> See in more detail, e.g.: Kudryavtsev, V.N. 1962. *Retsenziya na monografiyu “B.S. Nikiforov. Obyekt prestupleniya po sovetскому уголовному pravu”* (1960, Moskva) [Review of the monograph by B.S. Nikiforov “Object of crime according to the Soviet criminal law” (1960, Moscow)]. *Pravovedeniye*, No. 1, pp. 171-174.

<sup>19</sup> Sorokin, V.V. 2008. *Teoriya gosudarstva i prava perekhodnogo perioda*

[*Theory of state and law in the transitional period*]. Novosibirsk: NGI.

<sup>20</sup> Sorokin, V.V. 2003. *Konstitutsiya Rossiyskoy Federatsii 1993 goda: kriterii stabilnosti* [Constitution of the Russian Federation of 1993: criteria of stability]. *Konstitutsionnoye i munitsipalnoye pravo*. No. 5, pp. 2-6.

<sup>21</sup> *Ibid.* Pp. 2-6.



etc., which are determined by economic relations, depend on them, but, in turn, influence the basis relations, facilitating or hampering them, impeding their development. Accordingly, stability or instability of the basis, economic relations will have a determining influence on the level of stability or instability of political, legal, social, cultural, spiritual, and other superstructural relations, while the latter have a reverse influence on the level of stability of the basis, economic relations in the society at the appropriate stage of its development<sup>22</sup>.

5) Ability of the object to resist various external factors influencing it.

As was noted above, stability of any systemic object depends on many factors of the environment with which the object and its constituent elements interact.

The state of stability may demonstrate various degrees of resistance to external impacts (risks, threats). For example, in Physics there are three kinds of states according to this criteria: *stable* – maintained by the object even under large disturbances; *instable* –

when the object stability is upset even under minor disturbances, and *metastable* – the state of quasi-stable equilibrium of the physical system, when the object stability is preserved under minor disturbances<sup>23</sup>. We believe that the above classification is fully applicable to characterizing the researched social aspects of the stability issue, reflecting the various levels of its stability to the external factors of various intensity – “disturbances” (risks, threats, etc.), which produce destabilizing effect. Estimating the state of the contemporary Russian society from this viewpoint, it would be appropriate, in our opinion, to characterize it as metastable.

Article 43 of the Strategy lists the key threats to the state and public security, which destabilize the status quo. These include: reconnaissance and other activities of special services, organizations, and individuals, affecting the national interests; activities of terrorist and extremist organizations, aimed at forcible upheaval of the constitutional order in the Russian Federation, destabilization of

<sup>22</sup> Marx, K. K kritike politicheskoy ekonomii [On the critique of political economy]. In: Marx, K. and Engels, F., *Works*. Vol. 13. Pp. 6–7; Marx, K. *Capital*. Vol. 1. Pp. 198-206.

<sup>23</sup> See, e.g.: Landau, L.D. and Lifshits, E.M. 1964. *Statisticheskaya fizika [Statistical physics]*. Part 1. Moscow: Nauka. Available at <https://ru.m.wikipedia.org>. Accessed on 20.02.2019

functioning of state administration bodies, threatening of the population; activities of radical public associations and groups, as well as individuals, aimed at distorting the unity and territorial integrity of the Russian Federation, destabilizing the intra-political and social situation in the country; activities of criminal organizations and groups; activities related to dissemination and propaganda of fascist, extremist, terrorist and separatist ideologies, distorting the civil peace, political and social stability in the society; criminal trespasses; corruption; natural disasters, accidents, and catastrophes.

Unfortunately, the legislator “overlooked” such threats to stability, national security and global safety as the monstrous and still deepening social stratification in the country and the world and the related feeling of injustice, which are fraught with an extremely dangerous potential of most disastrous social shocks. For example, according to the data by Credit Suisse bank experts, 1% of the Earth population own a half of the planet’s wealth. In Russia, just 10% of the population own 87% of all the

country’s wealth, which is much worse than the situation in all other large states<sup>24</sup>.

Counteraction to all these threats is crucial for strengthening the stability of public relations and providing national security of our country and the global community in general.

6) Temporal factor – preservation of the original (desired, objectively necessary) properties and functions by the object during a significant period of time. The duration of the said “significant period of time” will be different for different objects. As for absolute stability – stability “forever”, it is probably possible only in regard to objective laws of nature: universal gravitation, inertia, etc. The frequently used (in particular, in the Strategy under study) term “strategic stability” just emphasizes the desirability of the maximally long period of stability. The periods of stability of social, in particular, state and legal objects are apparently various and less long; they are determined by multiple factors, first of all, those mentioned in clauses 4 and 5

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<sup>24</sup> *Expert.ru information portal.* Available at <http://expert.ru/2015/10/14/polovina-mirovogo->

[bogatstva-v-rukah-odnogo-protsentanaseleeniya-planetyi/](http://expert.ru/2015/10/14/polovina-mirovogo-bogatstva-v-rukah-odnogo-protsentanaseleeniya-planetyi/). Accessed on 20.02.2019..

above, which varied duration of the impact period.

7) Estimation of stability and its consequences in the public opinion. The results of research carried out by “Public Opinion” Foundation show that stability and safety occupy one of the key positions in the value system of the Russians and are associated with such notions as order, wellbeing, composure, confidence in the future, balance and reliability<sup>25</sup>. In the juridical scientific literature, stability in all spheres of public life is considered to be an advantage and a necessary condition for building the rule of law and a civil society<sup>26</sup>.

Today, the President, the Parliament, and the ruling party in general consider stability to be an essential, obligatory and indispensable condition of further development of the country; as for the representatives of the extreme opposition, they, on the contrary, resolutely come out for

changes, believing that the officially propagated stability is essentially stagnation<sup>27</sup>. However, we think that if opposition occupied top position in the state administration, it would immediately become the proponent of stability.

In regard to this, one should bear in mind that stability in the society is determined not only by the attitude of the state authorities (as well as the opposition) to the population, but also by the attitude of the population to the state authorities (or, respectively, to the opposition), which may be manifested in assessing the situation in the country by the public opinion or in forming the extreme (revolutionary) situations, when “the rulers are unable and the ruled ones are unwilling to go on as before”<sup>28</sup>.

Unfortunately, sociological researches give ground for alarming conclusions, showing that the number of the Russian citizens negatively assessing the state authorities’ functioning has

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<sup>25</sup> *Obshchestvennoye mneniye Foundation official web-site.* Available at <https://corp.fom.ru>. Accessed on 20.02.2019.

<sup>26</sup> See, e.g.: Pravoporyadok i pravovye zakony: sootnosheniye v usloviyakh formirovaniya grazhdanskogo obshchestva i pravovogo gosudarstva [law order and laws: coordination under formation of a civil society and legal state]. *Legal space of Russia: issues of theory, history, and practice: Works of All-Russia scientific-practical conference.* 28-29

May 2010. Slavyansk-na-Kubani: ITS SGPI. Pp. 89-94.

<sup>27</sup> See, e.g.: *Putin: Stabilnost – vazhneysheye usloviye razvitiya strany.* RBK information portal. Available at <https://rbc.ru/society/20/12/2012/5704014d9a7947fcbd443d48>. Accessed on 20.02.2019.

<sup>28</sup> Lenin, V.I. *Detskaya bolezn “levizny” v kommunizme* [“Left-wing” communism: an infantile disorder]. *Complete works.* Vol. 41. Pp. 69-70.

been growing recently. For example, by the data of Levada Analytical Center, the share of the Russians thinking that Russia is going the right way decreased from 57% to 49% during the recent year (October 2017 – October 2018) while the number of those who think that the country is going in the wrong direction increased from 27% to 40%<sup>29</sup>.

The poll on the level of approval of activities of the key authorities of the country showed that, in particular, in the recent year, the share of the Russian approving activity of Vladimir Putin as the Russian President decreased from 82% to 66%, and the share of those who disapprove of his activity, on the contrary, increased from 17% to 33%. In the same period the level of approval of the activities of Dmitry Medvedev as the Head of the Russian government decreased from 46% to 34%, and the share of those who disapprove of his activity increased from 53% to 64%. Similar dynamics is revealed concerning the activities of the Russian government: the level of approval decreased from

48% to 41%, the level of disapproval increased from 51% to 57% of the respondents. The level of approval of the activity of the State Duma decreased from 41% to 36%, the share of those who disapprove of its activity increased from 57% to 62%<sup>30</sup>.

Apparently, the society is tired of endless changes – “reconstructions”, “accelerations”, “stabilizations”, “reforms”, “optimizations”, “modernizations”, etc. Many citizens are convinced that the activity of the authorities and officials does not correspond to the interests of the bulk of the population. The citizens note that the actions of the authorities are not transparent, but contradictory and egoistic, connected with lobbying of their own or some other groups’ interests, or are a result of inability to see the consequences of their actions; thus, most often they cause rejection and annoyance, disbelief in reasonability of the decisions taken<sup>31</sup>. As a result, everything remains at the level of talks, fair promises, frugal and not always

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<sup>29</sup> The poll was carried out on 18-24 October 2018 in a representative all-Russia sample of urban and rural population, 1600 people aged 18 and older in 136 settlements in 52 RF subjects. The research was carried out at respondents’ homes by personal interview. Distribution of the answers is given in percent to the overall number of the respondents together

with the data of previous polls. *Levada-Tcentr official web-site*. Available at <https://levada.ru>. Accessed on 20.02.2019.

<sup>30</sup> *Levada-Tcentr official web-site*. Available at <https://levada.ru>. Accessed on 20.02.2019.

<sup>31</sup> *Ibid.*

consequential attempts of the authorities to change the situation for the better.

At the same time, rather reassuring are the assessments of the activities of the heads of the Russian regions, which reflect the positive dynamics: during the recent year, the share of citizens approving the activities of governors, Presidents of Republics, and Moscow mayor increased from 53% to 58%, while the share of those who disapprove of their activity decreased from 44% to 40%. One may suggest that such positive dynamics is not characteristic for all regions of the country; nevertheless, it proves that authorities can be positive and efficient.

The reasons underlying the above indicators are a topic of a separate voluminous research. Here we should only mention that, by the data of Levada Analytical Center, to the question about the need for changes, 44% of the respondents answered that just minor changes are necessary. The main goal of such transformations, according to the people's opinion, should be increasing the living standards and wellbeing of the population<sup>32</sup>. In this case the above-mentioned threats can be efficiently overcome by mutual efforts.

8) Stability of the object (system), often defined as “sustainability” should not be viewed literally as a kind of their absolute “steadiness”, unchangeability. Actually, the object per se and its property of stability are developed in time and space. There are no grounds to think that the said development does not follow the universal laws of dialectics: unity and struggle of opposites; transition from quantity to quality; negation of negation; and determinism.

Stability of the object (system) is relative; thus said, any stable condition, as well as unstable one, always has its own moving causes, the consequence (result) of which it is. In turn, stable or unstable condition may become the cause of various consequences (results), like destabilization of certain spheres of life, as is mentioned, in particular, in the Strategy.

Any object constantly develops due to the internal and external contradictions, which serve as a source of the object's permanent development. The world may not remain unchanged; economic, political, and legal systems need to develop, change and improve, otherwise stability may turn into

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<sup>32</sup> *Ibid.*

stagnation; lagging behind the requirements of life and probable collapse are extreme and undesirable manifestations of that.

It is assumed that stability appears as a result of achieving some dynamic equilibrium, balance in the struggling of opposites; that it can be characterized as normal, optimal condition of the object, when the relevant – economic, political, legal or other system achieves its maturity (perfection) and “stops” for some time at that optimal, “comfortable” level. However, within such system the interactions of its contradictory components continue, which determine its further development. A relevant example is, in particular, the law of outstripping development of the society’s production forces<sup>33</sup>.

9) Normal existence and development of any object is related to objective striving for the above-mentioned dynamic equilibrium and implies optimal, to the extent possible

<sup>33</sup> Marx, K. K kritike politicheskoy ekonomii [On the critique of political economy]. In: Marx, K. and Engels, F., *Works*. Vol. 13. Pp. 6-7; Marx, K. and Engels, F., Manifesto Kommunisticheskoy partii [Manifesto of the Communist Party]. In: Marx, K. and Engels, F., *Works*. Vol. 4. P. 429; Lenin, V.I. Imperializm kak vysshaya stadiya kapitalizma [Imperialism as the supreme stage of capitalism]. *Complete works*. Vol. 27. Pp. 385-406.

harmonious, combination of the elements of stability and changeability.

Such equilibrium may be a result of a certain reasonable compromise between the values which, on the one hand, constantly reproduce the system and its environment (conditionally – centripetal), and on the other hand, hose trying to change it<sup>34</sup> (conditionally – centrifugal). The resulting dynamic equilibrium as a “golden mean” between stability and changeability of the object (system) properties was proposed to term “dynamic stability”. For example, R.A. Timofeeva defines dynamic stability as “the ability of the system at a certain moment of time to maintain itself without changing its internal environment under external impact”<sup>35</sup>.

The issue of this phenomenon, of the essence of the mentioned “harmonious combination” and “golden mean”, of where to find it and how to ensure harmony and stability – this issue is extremely complex, which implies the

<sup>34</sup> See, e.g.: Sorokin, V.V. 2008. *Teoriya gosudarstva i prava perekhodnogo perioda* [Theory of state and law in the transitional period]. Novosibirsk: NGI.

<sup>35</sup> Timofeeva, R.A. 2013. O dinamicheskoy stabilnosti v demograficheskoy krizise [On dynamic stability under demographic crisis]. *Vestnik Novgorodskogo gosudarstvennogo universiteta*, No. 74, Vol. 1, p. 14.

need for its further scientific comprehension.

The essence of the idea of dynamic stability was formulated by a British scholar Richard Crockatt: “The notion of stability includes the idea of adaptation to change, though, as one may assume, change within certain limits. Defining these limits is the task for theoreticians of stability”<sup>36</sup>.

In our opinion, the idea of stability (including its dynamic aspect) is embedded in the Strategy under study and should be implemented in the context of the Russia’s national security, which is defined in the document as “the condition of protection of a personality, society and state against internal and external threats, under which the implementation of Constitutional rights and freedoms of the Russian citizens is ensured..., decent quality and standard of living, sovereignty, independence, state and territorial integrity, sustainable social-economic development of the Russian Federation. National security includes the country’s defense and all kinds of safety stipulated by the Constitution of the Russian Federation

and legislation of the Russian Federation, first of all, state, public, informational, ecological, economic, transport, energy safety, and security of a personality” (Art. 6 of the Strategy). Taking into account the above said, as well as the fact that the Strategy per se “is based on inseparable interlink and interdependence between the national security of the Russian Federation and social-economic development of the country” (Art. 5), we believe that the document speaks of that very changing, dynamic stability. This said, we, however, consider it expedient to specify that the stable national security of Russia may not be guaranteed without the stability of global (international, collective) safety, which can be defined, for instance, as the condition of protection of the relevant object – the human community as a whole (humanity) against all possible threats related to its existence and development and coming from the environment in which the object exists and with which it has to interact.

The above features of stability, undoubtedly, refer to the social sphere as

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<sup>36</sup> Crockatt, R. 1997. *Theories of Stability and the End of the Cold War. From Cold War to Collapse: Theory and World Politics in*

*the 1980s.* Available at <https://studfiles.net/preview/5771211/page/9/>. Accessed on 20.02.2019. P. 61.

well, including to the stability of political and legal systems. It is in this sphere that the studied problem becomes especially topical today, as stability of political and legal systems extremely significantly influences the public life in general (including economy), being, as was noted above, a factor providing national security; at the same time, it requires scientific comprehension and practical provision<sup>37</sup>.

Undoubtedly, law plays a special and extremely important role in providing stability and national security of the country.

Aimed at providing steadiness of existing relations, consolidating the order formed sometimes during centuries, law is conservative by nature; it requires stability, obedience to the previously set rules; thus it serves as a factor of stabilization of public relations. The system of law is composed of multiple norms – the compulsory for all rules of conduct stipulated by the state, which became such due to stability and

general acceptance of the forms of conduct recognized as normal. The norm is what is normal, what was being formed by centuries and is intended for multiple implementations in the future, what is recognized as optimal, most expedient and as such stipulated as a model, an etalon for the future<sup>38</sup>.

That is logical and reasonable. As was shown above, stability in the society is obligatory; to be more precise, it is preferable, as reliable la order is impossible without stability. Stability of law (and, accordingly, legislation formalizing it) implies its steadiness, relative constancy, undesirability of frequent, moreover hurried, not properly thought out, unsubstantiated and contradictory changes. In its stable condition, law is aimed at regulating the life of the society, to serve for strengthening the sustainability and predictability of public relations; it allows forecasting the variants of public development with probable consequences.

<sup>37</sup> See in more detail, e.g.: Ilyin, Yu.D. 2007. *Pravo cheloveka i gosudarstva na bezopasnost v sovremennom mire [Right of a human and state for safety in the modern world]*. Moscow: Norma. Pp. 179-276; Aleshin, V.V. and Ostroukhov, N.V. 2008. *Teoreticheskiye i metodologicheskiye osnovy ispolzovaniya osnovnykh pravovykh rezhimov v period vooruzhennykh konfliktov [Theoretical and methodological bases of using the key legal*

*regimes during armed conflicts]*. Moscow: Yurlitinform. Pp. 5-14.

<sup>38</sup> See: Duyunov, V.K. 2014. *Stabilnost i dinamizm v ugolovnom zakonodatelstve. Aktualnye problemy teorii i praktiki primeneniya ugolovnogo zakona [Stability and dynamism in criminal law. Topical issues of the theory and practice of applying criminal law]*. *Collection of works of the 1<sup>st</sup> All-Russian scientific-practical conference*. pp. 49-57. Moscow: RAP. P. 51.



However, one should realize that the serving role of law, the social purpose and essence of the institutions and norms constituting law, consists in providing progressive development of the society, in serving as tools for the state to solve its tasks related to governing and ensuring the public security. As the most important social regulator and “guard of order”, law must facilitate progressive initiatives and bar everything which hampers them. Implementation of the great plans and solving of vast tasks set for the country, particularly, in the Messages of President V.V. Putin to the Federal Assembly of the Russian Federation<sup>39</sup> would be impossible without their legal provision, eliminating the hampering obstacles (corruption, embezzlements, alcohol and drug addiction, impoverishment of the population, etc.), appropriate use of legal tool, and cardinal modernization of the law-enforcement, judicial, and other systems of the state.

To fulfill its progressive role, the “conservative” law and, accordingly, legislation, must always “be toned” – constantly improve in line with time,

duly and adequately respond to the challenges of today<sup>40</sup>.

At the same time, this processes must follow the rule of the “golden mean”, responding to the challenges moderately and adequately, appropriately and successively, persistently, but circumspectly. This work must be carried out systematically and consistently, in analytical-creative manner. Legislative activity also should be characterized by dynamic stability; the optimal balance between its constituents – stability and changeability of the national legislation – should be searched for.

It is obvious that law and legislation, like public life in general, should harmoniously comprise elements of stability and dynamism; only in that case they can serve as efficient regulators, maintainers and protectors of public relations.

This conclusion is apparent, and there would have been no need to talk about it, but for the recent trend of perpetual growth of the number of laws, their amendments and additions at federal and regional levels, accompanied

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<sup>39</sup> E.g.: Message of the President of the Russian Federation to the Federal Assembly of the Russian Federation of 01.03.2018. *Rossiyskaya gazeta*, 2 March 2018.

<sup>40</sup> See in more detail, e.g.: Lukashuk, I.I. 2000. *Globalizatsiya, gosudarstvo, pravo, XXI vek [Globalization, state, law, 21<sup>st</sup> century]*. Moscow: Spark.

by decrease of their quality, which, whether intentionally or not, destroys the stability and system of the legislation<sup>41</sup>. Synchronism and balance in the legislation development are now lost. The laws adopted in Russia today are numerous. Undoubtedly, in general this trend is reasonable, but one should not go to the extreme, arguing for unlimited growth of their numbers, as reliance on the mechanically increasing the number of laws will not yield appropriate results.

We should also note the technical defects of the law-making process: chaos in forming the massifs of norms, rush for the number of laws as an end in itself, unjustified haste in preparing drafts of significant legal decisions, ignoring the rules of law-making technique elaborated by practice, drawbacks in planning the preparatory work, etc. In many cases, drafts are prepared in great haste, ad hoc, without attentive and

comprehensive study of the normative innovations or forecasts of their efficiency, without appropriate economic, financial, ecological and other calculations or scientific substantiation. Sometime dozens of laws are adopted in one day, or drafts of laws are adopted at several readings at a time<sup>42</sup>.

Undoubtedly, law should change, but in order to provide stability, not to hamper it. The main thing when making changes is their logic, compliance with the demands of life. Solving the issue of “the golden mean” between stability and changeability of legislation, we would prefer stability, so that changes to laws could be introduced strictly in compliance with the principle of reasonable expediency.

The unstable legislation with frequent, hurried, not sufficiently thought-out, in particular

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<sup>41</sup> See: Duyunov, V.K. 2014. *Stabilnost i dinamizm v ugovnom zakonodatelstve. Aktualnye problemy teorii i praktiki primeneniya ugovnogo zakona* [Stability and dynamism in criminal law. Topical issues of the theory and practice of applying criminal law]. *Collection of works of the 1<sup>st</sup> All-Russian scientific-practical conference*. pp. 49-57. Moscow: RAP. Pp. 53-54; Duyunov, V.K. 2012b. *Sistemnost – vazhneysheye svoystvo prava, neobkhodimaya predposylka ego effektivnosti. Aktualnye problemy ugovnogo prava, protsess i kriminalistiki* [Systemic character as the most important quality of law, the essential prerequisite of its efficiency. Topical issues of

criminal law, procedure and criminology]. *Works of the 4<sup>th</sup> International scientific-practical conference, 2 November 2012 (Ukraine, Odessa)*. pp. 78-81. Odessa: Feniks.

<sup>42</sup> See in more detail, e.g.: Pigolkin, A.S., Golovistikova, A.N., Dmitriev, Yu.D., and Saidov A.Kh. 2005. *Teoriya gosudarstva i prava [Theory of state and law]*. Moscow: Yurayt-Izdat. Pp. 572-591; Zakomoldin, R.V. (ed.). 2015. *Problemy rossiyskogo zakonodatelstva: istoriya i sovremennost [Issues of the Russian legislation: history and modernity]*. *Works of International scientific-practical conference*. Samara: Samarskaya gumanitarnaya akademiya. Pp. 3-8.

unsubstantiated and contradictory, changes influences negatively on public life, disorients citizens, forms legal nihilism, decreasing the authority of state power and the law, and increases the offense rates. For example, according to the data by Levada-Tsentr, just 17% of the population think that the legislative power functions efficiently and adopts important and necessary laws<sup>43</sup>.

The high dynamism of legislative changes, which could be generally referred to the merits of legislative activity, turns into its opposite in cases when the decisions taken are contradictory, not sufficiently thought-out, not substantiated by social changes and not relying on scientific basis; then it becomes a drawback, destroying the stability of legislation, which is a factor of its efficiency, probably more important than changeability<sup>44</sup>.

#### 4. Conclusion

Thus, **stability** is a certain state, condition (status quo) of an object – a political, economic, legal and other

system, of other phenomena, processes, events, etc., characterized by balance, equilibrium, coordination between its elements and structure as a whole, being the result of a certain reasonable compromise; it implies resistibility to change and external impacts of various intensity (risks, threats), ability to maintain the previously set parameters during a certain (preferably long) period of time and to execute the required functions under the set and/or desired regimes and conditions; it is with them that the public conscience associates its conceptions of order, safety, wellbeing, composure, and confidence in the future.

At that, the relative character of stability, its property of tending to the optimal, “comfortable” compliance with the constantly changing objective conditions characterize it as a dynamic one.

Stability of any object (system) is relative. Any object is constantly developing. Accordingly, public relations cannot but change, and that is an objective truth. The economic,

<sup>43</sup> *Obshchestvennoye mneniye – 2017. Yearbook*. 2018. Moscow: Levada-Tsentr. P. 100.

<sup>44</sup> See in more detail: Duyunov, V.K. 2012b. Sistemnost – vazhneysheye svoystvo prava, neobkhodimaya predposylka ego effektivnosti. Aktualnye problemy ugolovnogo prava, protsessy i kriminalistiki [Systemic

character as the most important quality of law, the essential prerequisite of its efficiency. Topical issues of criminal law, procedure and criminology]. *Works of the 4<sup>th</sup> International scientific-practical conference, 2 November 2012 (Ukraine, Odessa)*. pp. 78-81. Odessa: Feniks.

political, legal and other systems have to develop and improve; otherwise stability may turn into stagnation and regress, which may lead to collapse.

Thus, stability is the result of a certain dynamic equilibrium, the balance of the opposites – stability and dynamism. We propose to term such dynamic equilibrium between stability and changeability **the dynamic stability**.

Thus, stability (sustainability, rigidity) and dynamism (changeability) are the essential characteristics of public relations, as well as of the law and legislation which regulate these relations. They are interconnected and at the same time opposite, mutually implying and at the same time mutually excluding each other, like “two sides of the same coin”. Harmonious combination of these characteristics (dynamic stability) may bring positive social results, while their disharmony is, accordingly, fraught with significant social problems, shocks and disturbances.

Law, legal tools and legal regulation play an exclusively important role in providing social stability in all its variations. To accomplish this role, the law per se, legislation, and the legal

system in general must correspond to social needs, be adequate and relevant towards the changing public relations, be demanded by the society. In case of the absence or disturbance of such correspondence, amendments and additions must be made to restore it.

The task of the legal science is to reveal and estimate the inconsistencies and to elaborate proposals for eliminating them, in order to restore consistency and, as a result, efficiency of legal regulation of social processes.

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