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**LEGAL REGISTRATION OF THE ESTATE SYSTEM IN RUSSIA
FROM THE MIDDLE OF THE SEVENTEENTH TO THE BEGINNING OF
THE TWENTIETH CENTURY:
CONCEPTUAL FOUNDATIONS**

5.1.1. – theoretical and historical legal sciences

Abstract of the doctoral dissertation for the scholarly degree
Doctor of Law

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The importance of the research topic is determined by socio-economic and legal factors and prospects for scientific research.

In consideration of the civilizational tendencies embedded in the Russian state, Russian society, and Russian legal system, we acknowledge the necessity of enhancing institutions in the domains of law, politics, culture, and education. A nation's ability to compete is primarily based on the quality of its human capital and the degree to which its people are able to participate in the creation of cultural values, the production and consumption of material goods, and the exercise of political power. The effectiveness of this involvement is largely determined by the quality of the institutionalization and implementation of the legal status of the individual as well as the efficient functioning of the organizational and legal mechanism for changing individual legal status.

Studying these issues, including their historical context, will enable us to accurately evaluate the possibility of altering members of society's social status—including their material, psychological, demographic, and economic aspects—through state legal regulation.

Taking into account both local and international experience can have important theoretical and practical implications. The main features of the Russian estate model, which emerged throughout the historical period under consideration, are unique. Its study is relevant from both a scientific and practical perspective.

At the same time, we must acknowledge that this pressing need is not being met by the current state of complex fundamental holistic interdisciplinary research. This concerns studies of the Russian estate system from the mid-17th to early 20th century, where social structure and legal status of estates and other social groups are examined through the prism of legislative policy along with an individual's legal status and the opportunities for social mobility that the state affords its subjects.

In this particular aspect, the scientific issue should be regarded as insufficiently researched in historical and legal science.

The degree to which the scientific problem has been developed.

A substantial historiography of the issues covered in the dissertation has taken shape in Russia during the previous 250 years. This historiography includes works within the disciplines of history, philosophy, sociology, economics, and state and legal history.

Even now, there is a lot of active scientific work being done in the fields of historical and legal studies both domestically and internationally, as well as in other sciences.

In terms of its chronological context, the topic of present work has not previously been the focus of specialized historical and legal scientific investigation.

The primary difficulty is that, when it comes to the legal basis and organizational structures of social stratification in Russia from the middle of the 17th to the beginning of the 20th century, historiography has developed and proposed sharply opposing points of view. In this instance, the challenge is not the existence of divergent viewpoints (which is, of course, the standard in scientific research), but rather the varied interpretations of several concepts and the different ways in which certain major categories are understood.

Purpose and objectives of the research.

The purpose of the dissertation research is to identify the main features of the domestic model of legal registration of social stratification in the period under review and to clarify the directions and formats of legal regulation of the social structure and system of human legal status in Russia in the context of the conceptual approaches of the domestic legislator and the experience of legal basis of social stratification in foreign countries.

The dissertation has **the following objectives:**

- 1) to analyze the methodological aspect of the research topic and offer suggestions for its improvement;
- 2) to examine the legislator's conceptual framework for defining Russian

citizens as legal subjects;

3) to determine the function, directions, techniques, and primary outcomes of state influence on Russia's legal status system and social structure;

4) to consider the features of the domestic estate system's legal registration at various points during the period in history under examination;

5) to determine the key features of the Russian social stratification model, which emerged as a result of state policy and based on the civilizational characteristics inherent in Russia;

6) to clarify the legal attributes for various population groups;

7) to determine the structure of Russia's individual legal status system during the period under examination and take into account the system's development history;

8) to identify the features of the Russian model of the organizational and legal mechanism for changing an individual's legal status and consider the main channels of vertical social mobility;

9) to explain and defend the author's version of how national models of social system legal registration are typified in terms of social stratification, keeping in mind the function of legal elements in guaranteeing the unification of society and the coordination of public interests.

Object and subject of research.

The object of this dissertation research is a complex of social relations, which has created the basis for the formation and restructuring of the domestic model of social stratification. This process was carried out when the state implemented the role of legally consolidating the status of individuals and social groups during the period in history lasting from the middle of the 17th century to the early 20th century.

The mid-17th through the early 20th centuries serve as the study's chronological framework.

Subject of research.

The subject of this research is legislative and other legal acts regulating the legal status of individuals and social groups in Russia, the procedure established by the domestic legislator for changing the legal status of individual, documents created in the course of implementing the law and law enforcement activities, as well as, in some cases, relevant legislative practice in a number of foreign countries.

The hypothesis of the research is that Russia's legal development, defined by the normative consolidation of social groups and individual statuses, produced legal phenomena of a similar order to those of several other foreign countries. These phenomena were driven by Russia's elite interests and its own paradigm. At the same time, as a result of focused state policy, Russia established an original estate model and an original organizational and legal framework for altering an individual's legal status. These aspects were very different from the most well-known models found in foreign countries.

Theoretical and methodological basis of the research.

Methodological basis of the research.

The general principles of scientific research and an integrated approach dictate the employed methodologies.

This work's methodology includes the use of the dialectical method applied within the framework of the civilizational approach, as well as the following related methods: historical, formal legal, comparative legal, critical legal and statistical.

Analysis, synthesis, induction, deduction, scientific analogy, description, generalization, and modeling are a few of the general scientific research techniques that are employed.

The chronological method is used to present the dissertation's content.

Theoretical basis of the research.

The concepts found in the writings of thinkers from Russia and other nations constituted the philosophical-legal and philosophical-methodological foundation of the research. The main focus is on the writings of legal philosophers, legal methodologists, and state and law theorists. The discussion centers mostly on the works of domestic and international philosophers who have worked or are currently working in the areas of methodology, logic, social philosophy, political philosophy, history of philosophy, general theory of law, philosophy of law, comparative law, and theory of constitutional (state) law.

Research information base.

The empirical foundation of the study comes from a range of sources.

The primary sources for this dissertation are the regulatory laws of the Russian state throughout the period under review, as well as certain regulatory legislation of foreign countries.

In addition to previously published writings, the author of this dissertation relied upon the archival materials. Some magazine and archival resources inside the scientific community are shared for the first time.

The legitimacy and reliability of the research findings lie in an accurate theoretical basis of the research, the implementation of tried-and-true research methods and techniques, a wide range of sources and a careful selection of empirical data.

The scientific novelty of the dissertation research is as follows:

1) a new periodization of the legal registration process for the Russian estates system is proposed, taking into account the unique ways in which the legal and organizational mechanisms of social mobility operate in addition to other factors;

2) the work presents the author's concept of the arsenal of legislative measures used by the Russian state to structure society;

3) there has been a substantial modernization of the conceptual and terminological base applied in the historical and legal study of social and legal processes in Russia from the mid-17th to early 20th century; the dissertation investigates whether it is possible to describe a person's position in various spheres of legal life during the historical time under examination using some contemporary terms;

4) the work proposes a new model for the Russian estates system that is based on the country's civilizational features, accounting for the institutional aspects of the national social structure, and recommending certain changes to the meaning of the term "estate";

5) the concept of a two-level estate structure in Russia is established, and the term "sub-estate" is introduced for the first time within the framework of domestic science;

6) the definition of each social group's legal status has been clarified precisely and, in some cases, revised;

7) for the first time, a comprehensive analysis of the development of Russia's system of individual legal statuses within the framework of domestic historical and legal science takes into account events that occurred during the designated period in the country's state and legal history;

8) for the first time, the significance of the organizational and legal mechanism of social mobility has been recognized within the framework of domestic historical and legal science as a crucial feature of the country's estates system and a driving force behind its socio-legal development;

9) a new classification of models of social hierarchy (models of legal registration of social structure) is formulated based on an analysis of the current issue and some aspects of the socio-legal development in several foreign countries.

Thesis statements submitted for defense and having scientific novelty.

The dissertation research complies with paragraphs. 34, 38, 39, 40, 41, 42, 43 the certificate of research specialty 5.1.1. "Theoretical and historical legal sciences."

In the text of this dissertation, the following thesis statements are developed and submitted for defense:

1. Legal registration of the Russian model of social stratification is proposed, considering the peculiarities of the functioning of the legal mechanism of social mobility. This is done by taking into account both the criteria traditionally used in research related to the sequence of actions of the domestic legislator to regulate the legal status of individual social groups or the system of legal statuses of a person as a whole, and the criterion related to the implementation of state policy on the issue of social mobility. In terms of periodization, three distinct periods are identified applying periodization, and these periods are further subdivided into stages.

2. Researching issues related to the legal registration of Russian society's structure of the designated historical period is perfectly suited to the conceptual and terminological foundation that historical and legal science now uses. But this system needs to be adjusted in a few ways. In particular, the meanings of the terms "class," "estate," and "caste" must be clarified while keeping in mind that they should be understood as universal concepts. Additionally, the terms "sub-estate," "legally segmented society," and "legally consolidated society" must be introduced. Finally, the content of certain legal concepts must be correlated with appropriate concepts from the historical, sociological, and other sciences.

3. We can discuss the existence of the notion of "individual legal status" and other terms that describe the status of an individual in different spheres of legal life with respect to the entire historical period under examination. Since the moment the state and law first emerged, civilizations have been characterized by the socio-legal institutions defined by these notions. As a result, it is acceptable to employ the scientific categories linked to these organizations, but with adjustments made for variations in content based on historical periods.

4. From the mid-17th to early 20th century, the Russian state employed a wide range of strategies to shape social structure. These strategies included enacting legislative policies, organizing and designing the social structure legally and regulating social mobility.

5. In the period under consideration, Russia's social structure was based on the principles of class. The class system was firmly established throughout this period. In the middle of the 17th century, the government in Russia initiated the process of legally registering a full-scale national class system inside the greatly expanded state territory. The notion of "estate" must be revised. The main criterion for setting up a social group as an estate is not the inheritance of rights and obligations.

6. The following are the main institutional features of the domestic class system model: the existence of a significant number of people outside of the scope of the class system and not formally classified into any of the classes; the two-tiered estate structure. Each estate, being an essential social group, contained several smaller social groups - estates of the second (lower) level - which reflected the two-tiered structure of the estate. Every social group possessed a certain set of class legal characteristics.

The term "sub-estate" best describes the social group that is included in the estate and also represents the two-level estate structure, which is the primary institutional characteristic of the Russian estate model.

7. Scientific approaches to determining the legal status of individual social groups have been clarified, and in certain aspects revised. Among them are such social groups as military men, indentured soldiers, established peasants, and newly arrived peasants. The place of civil servants as a social category in the class system of Russia has been clarified. Taking into account the conceptual approaches of the legislator, the legal status of "foreign population" groups in the Russian Empire should also be determined.

8. Legal status of an individual in Russia from the mid-17th to the late 19th century. determined primarily by estate status; this status dominated the system of individual legal statuses and took the place of basic and ancestral statuses. In the first decade of the twentieth century, the Russian legal status system included estate status as part of ancestral status, despite the status still having a two-level structure. During the first ten years of the 20th century, Russia's system of human

Evaluation of research results. The fundamental conclusions of the dissertation were presented at international, national and regional conferences, roundtables and scientific seminars.

The author of this dissertation used the materials and findings from the dissertation study to prepare textbooks and teaching aids that were written both individually and in collaboration with other writers.

The research findings and materials from the dissertation were used to produce intellectual products for a variety of projects, including one that was ordered by the federal government.

The results of the dissertation research have been applied to create a model of educational support for gifted students, which Tver State University has been using since 2012.

List of author's publications. The main findings of the dissertation research have been presented in more than 50 articles in prestigious peer-reviewed scientific publications listed by the Russian Federation's Ministry of Science and Higher Education's Higher Attestation Commission (including some articles in publications classified in categories K-1 and K-2) and in six monographs.

Structure and contents of the dissertation. The dissertation consists of an introduction, the main content of the research (five chapters), a conclusion (findings and recommendations), a glossary of terms, a list of used sources and literature and two appendices.