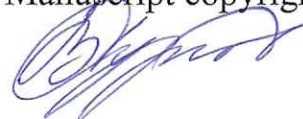


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Vsevolod V. FURSOV

**FORMS OF STATE STRUCTURE
AND INTERSTATE UNIONS:
PROBLEMS OF CORRELATION AND DELIMITATION**
Speciality 5.1.1. Theoretic historical legal sciences

ABSTRACT

A thesis for Research Doctorate in Law Degree

Thesis supervisor:

Vera A. Ilukhina,

Habilitation doctorate in Law,
associate professor

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Research rationale. As of 2025, the United Nations Organisation comprises 193 member states, with two states holding observer status (the Vatican and the State of Palestine). In addition, the modern world's political map includes a number of partially recognized states (the Republic of Abkhazia, the Republic of Kosovo, the Turkish Republic of Northern Cyprus, etc.) and unrecognized states (the Pridnestrovian Moldavian Republic, the Republic of Somaliland). Along with recognized and unrecognized states, various interstate unions have existed in historical legal reality. They still exist today.

Domestic and external political processes have led and continue to lead to both the integration of individual states and integration processes within a single state. At the same time, integration processes are countered by another trend, disintegration, which can manifest itself both within an individual state and in the disintegration of interstate unions.

State unions are diverse in nature. Due to political and historical factors, emerging needs and demands, the forms of interaction between individual states are changing. As a result, unique entities are formed that are often difficult to clearly identify as a specific form of territorial organization of an individual state or as a form of interaction between independent states. Such forms are often intermediate in nature and indicate centrifugal or centripetal tendencies.

In recent years, a number of interstate unions have undergone significant changes. This is due not only to political processes in the world, but also to the COVID-19 pandemic, which has demonstrated the importance of interstate unions for the existence of individual states. All this has prompted research into not only the long-established categories of state structure and interstate unions, but also revealed the need to specify their types based on specific criteria.

Despite the practical relevance of this problem, scientific and academic publications often fail to distinguish the increasingly complex structure of a single state from the forms of interaction among several states. In our view, this is due to the lack of clear criteria for distinguishing the complex internal structure of a single state with tendencies toward disintegration from a union of several states with

increasing integration trends. At the same time, formulating such criteria will allow us to clarify certain concepts and categories used in the theory of the state, distinguish between existing territorial entities, and accurately classify them.

Degree of elaboration of the scientific problem. The issues of the form of state structure as an element of the form of the state and interstate unions as associations of states have traditionally been the subject of research by legal scholars, as well as historians and political scientists.

Monographs by V.V. Balytnikov¹, M.A. Bekhetereva², V.S. Petrov³, V.A. Rybakov⁴ examined the problem of the form of the state in general. Studies by S.N. Baburin⁵, A.A. Voronin⁶, N.I. Grachev⁷, N.A. Kasatkina⁸ focused on specific aspects of the territorial structure of the state.

¹ See: Balytnikov V.V. Form of the State: monograph. 2nd ed., rev. and suppl. Moscow: Sputnik+, 2005.

² See: Bekhetereva M.A. Form of the State. Tyumen: Tyumen Law Institute of the Ministry of Internal Affairs of Russia, 2010.

³ See: Petrov V.S. The essence, content and form of the state. Leningrad: Nauka, 1971.

⁴ See: Rybakov V.A. Form of the Soviet state: monograph. Moscow: INFRA-M, 2020.

⁵ See: Baburin S.N. Territory of the state: legal and geopolitical problems. Moscow: Lomonosov Moscow State University. 1997; Baburin S.N. The world of empires: territory of the state and world order. St. Petersburg: Legal Center Press, 2005.

⁶ See: Voronin A.A. Territorial organization of the state: theoretical and historical aspects: thesis abstract ... Research Doctorate in law. Kazan, 2003.

⁷ See: Grachev N.I. State structure and sovereignty in the modern world: issues of theory and practice: thesis abstract ... Habilitation Doctorate in Law. Moscow, 2009.

⁸ See: Kasatkina N.A. Forms of state structure in modern times: theoretical research in law: thesis abstract ... Habilitation Doctorate in Law. Belgorod, 2015.

The works of P.N. Volkov⁹, V.V. Elistratova¹⁰, V.S. Zobnin¹¹, N.Yu. Kaveshnikov¹², S.Yu. Kashkin¹³, A.V. Makutchev¹⁴, and A.V. Tsytugin¹⁵ examined the problems of interstate interaction among states, as well as the forms of their association. Individual types of territorial structure of states were covered in the dissertations of S.O. Azarov¹⁶ and E.I. Damirchiev¹⁷, and in the monographs of S.F. Chernyakhovsky and Yu.S. Chernyakhovskaya¹⁸.

Various historical aspects within the framework of the researched problem field were studied by historians of law and historians (I.A. Varakin¹⁹, V.A.

⁹ See: Volkov P.N. The Commonwealth of Independent States and the Baltic States: A Textbook. Cheboksary: Yakovlev Cheboksary State Pedagogical University, 2020.

¹⁰ See: Elistratova V.V. Associations of states: general theoretical aspect: thesis abstract ... Research Doctorate in Law. Saratov, 2006.

¹¹ See: Zobnin V.S. Theory of Confederation in Domestic Political and Legal Thought: thesis abstract ... Research Doctorate in Law. Moscow, 2024.

¹² See: Kaveshnikov N.Yu. Transformation of the institutional structure of the European Union. Moscow: Navona, 2010.

¹³ See: Kashkin S.Yu. European Union: fundamental acts as amended by the Lisbon Treaty with commentary: Regulatory documents. Moscow: Scientific Publishing Center INFRA-M, 2022.

¹⁴ See: Makutchev A.V. Confederations of the Past and Present: Historical and Legal Analysis: Monograph. Moscow: Scientific Publishing Center INFRA-M, 2025.

¹⁵ See: Tsytugin A.V. Modern types of state associations: thesis abstract ... Research Doctorate in Law. Moscow, 2001.

¹⁶ See: Azarov S.O. Confederative state structure: theoretical and legal aspect: thesis abstract ... Research Doctorate in Law. St. Petersburg, 2011.

¹⁷ See: Damirchiev E.I. Empire as a political phenomenon: theoretical and methodological aspects of the study: thesis abstract ... Research Doctorate in political sciences. Moscow, 2010.

¹⁸ See: Chernyakhovsky S.F., Chernyakhovskaya Yu.S. Empire and Sovereignty: The Legacy of Motivating Images. Moscow: Likhachev Russian Research Institute of Cultural and Natural Heritage. 2025.

¹⁹ See: Varakin I.A. Formation and development of state border protection by state authorities of the Russian Empire (1721–1917): thesis abstract ... Research Doctorate in History. Moscow, 2001.

Vysotenko²⁰, E.N. Leshchev²¹, V.E. Matveyev²², A.N. Shpak²³) and political scientists (S.V. Tkachev²⁴).

In addition to monographic studies, various problems related to the form of state structure and interstate unions are addressed in articles by A.G. Abdulkhaev, B.K. Azanov, I.A. Alebastrova, V.G. Annenkova, A.A. Arbuzov, E.A. Akhverdiev, S.N. Baburin, K.A. Bekyashev, E.S. Belokon, V.V. Bogatyrev, S.A. Bogomolov, O.V. Voitenko, D.V. Galushko, M.V. Goncharov, S.V. Gorbacheva, N.I. Grachev, E.P. Grigonis, A.A. Danko, Yu.A. Dmitriev, V.V. Elistratova, V.A. Zhidkikh, V.V. Zakharova, S.I. Kaspe, A.Z. Kukanova, I.V. Leksin, S.A. Martyshkin, V.O. Mironov, T.N. Mikhaleva, V.V. Oksamytny, A.V. Rybakov, A.V. Seregin, N.N. Fedoshcheva, D.M. Khudoley, V.E. Chirkin, V.I. Sherpaev, A.V. Yurasova, T.F. Yashchuk and other authors.

The study presented differs from all existing ones in that it examines forms of state structure and interstate unions based on developed criteria for their delimitation. These criteria allowed for the analysis of certain controversial formations, such as empire, confederation, and others, and also allowed to delimit interstate unions as static entities from dynamic ones in this area, such as fusion.

Purpose and Objectives of Research. The purpose of the study is to develop and substantiate criteria for delimiting forms of state structure from interstate unions, as well as to identify the specific features of individual forms of state structure (empire) and interstate unions in their static (confederation, protectorate, associated

²⁰ See: Vysotenko V.A. Historical experience of ensuring the security of the state border of the Russian Empire by a separate corps of border guards: thesis abstract ... Research Doctorate in History. Moscow, 2004.

²¹ See: Leshchev E.N. Protection of the state border of the Russian Empire by the Semirechye Cossack army (1867–1917): thesis abstract ... Research Doctorate in History. Moscow, 2004.

²² See: Matveyev V.E. The concept of "empire" in modern scientific publications: thesis abstract ... Research Doctorate in History. Tomsk, 2008.

²³ See: Shpak A.N. Creation and improvement of the system of protection and security of the state border in the Russian Empire (1721–1893): thesis abstract ... Research Doctorate in History. Moscow, 2006.

²⁴ See: Tkachev S.V. Empire as a modern polity: thesis abstract ... Research Doctorate in Political Science. Vladivostok, 2005.

state, union, commonwealth, dominion) and dynamic (fusion, incorporation, secession) forms based on the developed criteria.

In accordance with this goal, the following objectives of the thesis research have been set:

- to analyze the scholarly debate on the form of the state and interstate unions;
- to develop criteria for distinguishing between interstate unions and forms of the state structure;
- to substantiate the essence of empire as a form of the state structure based on the developed criteria;
- to substantiate the essence of confederation, protectorate, associated state, union, commonwealth, and dominion as interstate unions based on the developed criteria;
- to characterize interstate unions of a dynamic nature (fusion, incorporation, secession).

Object and subject of research. The object of the research is the theoretical constructs of forms of state structure and interstate unions. The subject of the research consists of specific historical and modern forms of state structure and interstate unions.

The theoretical basis of the study is the developments and conclusions contained in the research in theory of state and law done by Azarov S.O., Alabastrova I.A. Alimova D.R., Akhverdiev E.A., Belokon E.S., Bogomolov S.A., Voronin I.A., Geldibaev M.Kh., Grachev N.I., Elistratova E.V., Ilyukhina V.A., Kasatkina N.A., Grigonis E.P., Isaev I.A., Klishas A.A., Leksin I.V., Malko A.V., Martyshkin S.A., Marchenko M.N., Matuzov N.I., Maslov V.A., Matveev V.E., Morozova L.A., Osipov R.A., Pavlov S.Yu., Razuvaev N.V., Rogov I.I., Romashov R.A., Rybakov A.V., Skorik A.P., Sysoeva E.A., Tkachev S.V., Neveselov A.A., Oksamytny V.V., Tiunov O.I., Ushakov N.A., Farukshin M.X., Fedoshcheva N.N., A.F. Cherdantsev, Chirkin V.E., Shishkov V.V., Yurasova A.V.; in international law by Azanov B.K., Arbuzov A.A., Biryukov M.M., Zamyatin V.Yu., Kapustin A.Ya., Mazunina N.A., Mikhaleva T.N., Sultanov I.R., Fastovich G.G., Tsypugin A.V.,

Shlyantsev D.A.; in history of state and law by Varakin I.A., Vysotenko V.A., Damirchiev E.I., Kokotov S.A., Korolkov M.V., Krylov S.E., Leschev E.N., Makutchev A.V., Nabiev R.F., Nesterov A.G., Salomatin A.Yu., Samoilov N.Yu., Chernyakhovsky S.F., Chikaeva I.R., Yashchuk T.F., Yukhov S.A.; constitutional law: Gabrelyan E.V., Danko A.A., Dyachenko E.B., Zobnin V.S., Kursky I.S., Friesen O.A., Shpak A.N., who devoted their works to various modern and historical issues of the territorial structure of states and forms of their interaction.

The methodological framework of the research is determined by the specifics of its subject matter, goals, and objectives. The key research method was system analysis, the application of which allowed the author to identify the essential features and characteristics of these forms of state structure and interstate unions and, on this basis, to formulate a holistic understanding of them as systems possessing a number of systemic properties. This method was used to formulate criteria for distinguishing interstate unions from forms of state structure, which also allowed the criteria to be viewed as a systemic, holistic phenomenon possessing common systemic qualities, the application of which, when combined, allows for the achievement of the intended goal of separating the internal structure of a state from its forms of international integration.

Dialecticism was also used as a basic method, allowing for the examination of change in forms of territorial organization of a state, as well as the forms of interaction between states in their development and dynamics. This method was aimed at studying the development of states, their interaction, and forming fundamentally new forms of territorial organization.

General scientific methods, such as analysis, synthesis, induction, and deduction, were employed in the presented research. The use of analytical methods allowed to identify contradictions in the understanding of existing terms and categories and identify gaps in the conceptual and categorical apparatus. This analytical method was used to study approaches to understanding the territorial structure of the state ("administrative-territorial structure," "state structure," "national-state structure," "territorial organization of public authority," "political-

territorial organization"), and to characterize each of them. The use of the synthesis method allowed us to formulate and substantiate the author's concept of the form of territorial state structure. Induction and deduction allowed us to formulate general theoretical concepts based on individual existing forms of interstate unions which existed earlier, as well as to characterize present time forms of state structure and interstate unions based on the formulated theoretical concepts. Thus, concepts were formulated and characteristics of empires and confederations were given, and currently existing similar forms of territorial structure of individual states and the forms of their relationships were analyzed based on the author's approach to understanding these categories.

The researcher utilized a number of specialized legal methods. The historical legal method was used to analyze the historical forms of empires and confederations that emerged during historical development. This method also allowed for an assessment of historical trends influencing the development of states. The comparative legal method was actively employed, providing comparative characteristics of both individual forms of government and state unions. This method allowed to identify similarities and differences in various historical and modern territorial entities. Comparative characterization of individual states allowed for the identification of commonalities and specificities in forms of government and interstate unions. The comparative legal method was used to formulate criteria for distinguishing between forms of government and interstate unions.

The information base of the research, given its subject matter, is represented by the Constitution of the Russian Federation, the constitutions of foreign states (Australia, Spain, Malaysia, etc.), international legal acts, including those establishing forms of interstate unions, and Russian national legislation at various levels.

The validity and reliability of the research results are determined by the research methodology, the validation of the materials under study in publications and educational settings, public presentations, and the use of international and national regulatory legal acts and doctrinal publications.

Provisions to be defended which possess scientific novelty:

1. The redundancy of the conceptual and categorical apparatus denoting international forms of interaction between states is demonstrated. The absence of significant differences among the characteristics of international intergovernmental organizations, international (interstate) organizations, international integration associations, international (interstate) associations, interstate entities, and international (interstate) unions is established. The concept of "international (interstate) union" (which corresponds to paragraphs 7 and 57 of Specialty 5.1.1 Passport) most fully reflects the integration options of states in the context of historical and contemporary objective reality.

2. Criteria for distinguishing interstate unions from other forms of state structure are proposed:

- the presence of a single territory and a single state border within which this territory is located. The mere presence of a territory cannot serve as a criterion, since interstate unions also have a territory;

- the presence of a single political regime within a single state border;

- sovereignty (in the classical sense);

- budget formation methods. Budget formation through taxes paid by taxpayers is a characteristic of an individual state. Budget formation through contributions from individual states is a characteristic of an interstate union;

- the purpose of creation (in the case of interstate unions).

The presence of territory, public authority and relationship with law cannot serve as criteria for distinguishing the form of government from interstate unions, since they are also inherent in complex states and interstate unions (which corresponds to paragraph 7 of Specialty 5.1.1 Passport).

3. It has been substantiated that an empire is a form of state structure, a single state, and not a union of states, as it possesses all the attributes of a single state, formulated based on the developed criteria:

- it has its own unified territory, which includes entities of varying status, with varying degrees of dependence on the center, and unified state borders;

- it has a tax system with taxes collected into a single budget and spent on state needs;

- it has a unified political regime throughout the entire territory, which possesses the distinctive feature of a common imperial idea, which may be religious, national, or other in nature. The consequence of the imperial idea is the formation of imperial self-awareness and a sense of belonging to the state;

- it possesses sovereignty (which corresponds to paragraphs 7, 40, and 57 of Specialty 5.1.1 Passport).

4. It has been substantiated that a confederation is a union of states, including independent states that possess their own sovereignty. The Confederation does not possess the characteristics of a complex state:

- there is no single territory with unified state borders; each member state retains its own territory and state borders; no unified political regime is formed;

- each state retains its own political regime and policy characteristics, despite having similar political values;

- the sovereignty of the member states in the confederation is fully preserved; there is only coordination of actions within the sphere defined by the confederation treaty;

- the revenue portion of the confederation's budget is formed from deductions from the budgets of the member states, and not from taxpayer payments (which corresponds to paragraphs 7 and 57 of Specialty 5.1.1 Passport).

5. Three groups of interstate unions have been identified:

1) Unions that existed in the past – historical forms of association that no longer exist (protectorates and unias). A protectorate is a transitional form from two independent states to a single state; an associated state is a form of protectorate. These unions lacked symmetry in the relations between the united states; one state partially lost its sovereignty in foreign policy without losing its territorial integrity. An unia is a union of two states united under a single crown, which does not create a single state and preserves the sovereignty of its member states;

2) unions that exist in the modern world are modern associations of states (the Commonwealth, the European Union, the Confederation of Sahel States). The Commonwealth is a union of independent states, each possessing its own sovereignty and territory with a single state border, but without a single established political regime. The European Union is an interstate union in which the degree of integration of the member states is significantly higher than in a confederation. A significant distinguishing feature of this type of interstate union is the duration and stability of the union, which is maintained, also artificially. The Confederation of Sahel States (Mali, Niger, Burkina Faso), July 6, 2024, is the only classical confederation in the modern world;

3) Unions-processes that lead to the creation of a single state without permanent governing bodies – a dynamic unification of states (fusion, incorporation). Fusion is the merger of two independent states into a single state with a single territory and internal territorial structure. By fusion, a new state is created that did not previously exist. Incorporation is the process of joining one state to another, resulting in the joining state losing its statehood and being completely absorbed into the joining state (which corresponds to paragraphs 7, 56, and 57 of Specialty 5.1.1 Passport).

Theoretical and practical importance of the research. The theoretical importance of the study lies in its presentation of new data and a generalization of previously available information on forms of state structure and interstate unions, their correlation, and the proposed criteria for delimiting complex forms of state structure from interstate unions. The practical significance of the study lies in its application in teaching various types of disciplines, such as Theory of State and Law and, to a certain extent, Russian Constitutional Law, Constitutional Law of Foreign Countries, International Law, and Political Science.

Validation of the research results. The main provisions of the dissertation research were discussed at a meeting of the History and Theory of State and Law Department of the Nizhny Novgorod Institute of Management - a branch of the Russian Presidential Academy of National Economy and Public Administration,

reported at international and national scientific and representative events, namely: at VIII Moscow Legal Forum (Moscow, 2021), the international applied research conference "Legal Science and Practice in the Context of Modern Challenges" (Nizhny Novgorod, 2021), VI National applied research Conference "Main Trends in the Development of Modern Law: Problems of Theory and Practice" (Kazan, 2022), the National applied research conference with international participation "Society - Science - Innovation" (Saratov, 2023), the International applied research conference "Connection between Generations as a Cultural Heritage of the Peoples of the Commonwealth of Independent States" (Nizhny Novgorod, 2023), and are presented in ten scientific publications, including four articles in journals recommended by the Higher Attestation Commission of the Ministry of Education and Science of the Russian Federation, including one article in a journal recommended by the Academic Council of the Russian Presidential Academy of National Economy and Public Administration (RANEPA) for the publication of articles on jurisprudence.

The dissertation research materials are used in various classes on Theory of State and Law at the Nizhny Novgorod Institute of Management – a branch of the Russian Presidential Academy of National Economy and Public Administration (RANEPA) and the Lobachevsky National Research State University of Nizhny Novgorod.

The thesis structure is determined by the purpose and objectives of the study. It includes an introduction, two chapters, each consisting of three paragraphs, conclusions and recommendations, and a list of references.

Dissertator's List of Publications on the Research Topic

Articles in peer-reviewed scientific journals publishing the main scientific results of theses for the Research and Habilitation Doctorates, recommended by

the Higher Attestation Commission of the Education and Science Ministry of the Russian Federation

1. Fursov, V.V. Public Authority of the State as a Criterion for Distinguishing Forms of Government from Interstate Unions" / N.V. Evdeeva, V.V. Fursov // Eurasian Law Journal. 2022. 1 (164). P. 75–78.

2. Fursov, V.V. "Interstate Union: to the Definition of a Scientific Category" / V.V. Fursov // Law and Practice. 2022. 3. P. 35–43.

3. Fursov, V.V. Territory and political regime as criteria for delimiting forms of state structure from interstate unions / V.V. Fursov // Bulletin of the Lobachevsky State University of Nizhny Novgorod. 2023. 3. P. 148–152.

4. Fursov V.V. Sovereignty as a criterion to delimit forms of state structure from interstate unions / V.V. Fursov // The Power of Law²⁵. 2024. No. 3 (59). P. 282–293.

Other publications

5. Fursov V.V. Form of state structure and confederation: to the issue of correlation of the concepts / N.V. Evdeeva, V.V. Fursov // Legality and law enforcement. 2021. 1 (29). P. 34–37.

6. Fursov V.V. To the understanding of empire / V.V. Fursov // Socio-economic development and quality of the legal environment: papers of VIII Moscow Legal Forum: in 5 parts. Part 1. Moscow: O.E. Kutafin Moscow State Law University (MSAL), 2021. P. 139–143.

7. Fursov V.V. Form of state structure: approaches to the concept / V.V. Fursov // Legal Science and Practice in the Context of Modern Challenges: Proceedings of the International applied research Conference, Nizhny Novgorod, November 25–26, 2021 / edited by E.E. Chernykh, M.V. Baranova. Part I. Moscow: Rusains, 2022. P. 262–267.

²⁵ Enlisted as recommended by the Academic Council of the Russian Presidential Academy of National Economy and Public Administration (RANEPA) for the publication of articles on jurisprudence.

8. Fursov V.V. Types of forms of state structure: Simple and Complex States / V.V. Fursov // Main Trends in the Development of Modern Law: Problems of Theory and Practice: Proceedings of VI National applied research Conference, Kazan, February 25, 2022. Kazan: University of Management "TISBI", 2022. P. 234–239.

9. Fursov V.V. Interstate unions: dynamic forms of existence / V.V. Fursov // Society – Science – Innovation: Collected papers of the National applied research conference with international participation, Saratov, July 6, 2023. Sterlitamak: Agency for International Research, 2023. P. 137–140.

10. Fursov V.V. The imperial idea and imperial legal consciousness – elements of self-identification and the political regime of the empire / V.V. Fursov // Connection of Generations as a Cultural Heritage of the Peoples of the Commonwealth of Independent States: proceedings of the international applied research conference, Nizhny Novgorod, September 7–8, 2023. Nizhny Novgorod: National Research Nizhny Novgorod State University named after N.I. Lobachevsky, 2023. pp. 402–405.