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Problems of genesis of Slavic statehood in theoretical concepts of legal Slavistics

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Abstract

The article analyzes the problem of the political opposition of Norman, Turanian Gothic and Sarmatian theory-the doctrine of the autochthonous Slavic way of Genesis of medieval Slavic statehood via the method of legal qualification, i.e. verification of the existence of specific dynasties of such features of the state as people, power, territory, rights, etc. As a result, the British came to India for the purpose of colonization and began to call themselves some Chinese or

Cambodian ethnonym. In conclusion, the emergence of medieval Slavic statehood is associated with the political creativity of the Slavic peoples.

Keywords: Slavs, Legal slavistics, Ancient law.

Problemas de génesis de la estadidad eslava en conceptos teóricos de la esclavitud jurídica

Resumen

El artículo analiza el problema de la oposición política de la teoría normanda, gótica turaniana y sármata: la doctrina de la forma autóctona eslava del génesis del estado eslavo medieval a través del método de calificación legal, es decir, la verificación de la existencia de dinastías específicas de tales características de el estado como pueblo, poder, territorio, derechos, etc. Como resultado, los británicos vinieron a la India con el propósito de colonizarlos y comenzaron a llamarse etnónimos chinos o camboyanos. En conclusión, la aparición del estado eslavo medieval se asocia con la creatividad política de los pueblos eslavos.

Palabras clave: Eslavos, Esclavitud jurídica, Ley antigua.

1. INTRODUCTION

To understand the regularities of evolution of any state, it is necessary to know the causes and conditions that are the catalyst of its origin, as it is in the early stages of development of the state, and often at the time of the occurrence of various powers. It is determined by the vector of political evolution public administration people, the foundations of legal awareness of citizens and the principles of the social life of the Nations: collectivism or individualism; bigotry and tolerance; patriotism or cosmopolitanism; religion or atheism.

In domestic and foreign legal Slavistics, since the time of M.V. Lomonosov, there is no unity of opinion about the causes of the origin of the Slavic States in the middle ages (SEREGIN, 2019).

Regarding the old Russian state, representatives of the ‘Norman theory’ (N. M. Karamzin, K. D. Kavelin, V.O. Klyuchevsky, S. M. Solovyov, etc.) claim that the state origin of the Eastern Slavs brought the Vikings – Swedes, and ‘anti-Normanists’ (M.V. Lomonosov, E.I. Klassen, S.A. Gedeonov, N.S. Derzhavin, O.A. Platonov, A.N. Filipov, S.V. Yushkov, etc.) defend the existence of original prerequisites for the transition from the family system of the Russ to the political organization of society (Manomano et al, 2015).

We believe that to resolve this centuries-old dispute, it is necessary to establish the presence or absence of signs of statehood (people, special public authority, territory, law, sovereignty, state language, taxes, and fees, etc.) among the Slavic peoples, regardless of the ethnic and tribal affiliation of their leaders.

2. METHOD

The methodological basis of this study is the dialectical method of cognition of social and legal phenomena and concepts in their development and interdependence. In the process, general-purpose and scientific methods of scientific knowledge are used as well, historical and legal, systemic, structural-functional, comparative-legal,

statistical, sociological, specifically the formal-logical, logical-legal and others. The legal framework and information base includes the research of international legal instruments, scientific sources, investigative and judicial practices to ensure the rights and lawful interests of individuals in the pre-trial proceedings.

3. RESULTS

To resolve this centuries-old dispute, it is necessary to establish the presence or absence of signs of statehood among the Slavic peoples.

First, there is a lot of historical evidence about the autochthonous formation of Slavic States at the dawn of the early middle ages. So to VI century ad news about three proto-state formations at East Slavs belong-it is Slavia (near lake Ilmen, with the center in Novgorod), Kuyavia (around Kiev) and Artania (location is not precisely established, but researchers identify it with Tmutarakan and even with Ryazan). Long before the calling of Prince Rurik, there were military-political unions of our ant ancestors (DERZHAVIN, 2010). For example, the Volynian tribal Association (Valinana), opposed to the Avar hordes, was led by the princes Mezhamir and Izdar; the antsky Union of Slavic tribes on the ROS river under the leadership of Prince Bozh (BusaBeloyar) fought with the Goths, among the Danube Slovenes, the authoritative Prince was Dobryata, who was subordinate to the leaders and princes of the allied tribes. At

the beginning of the IX century, Prince Burivoy attempted to unite these lands into a single state. In the Jokim chronicle, which has come down to us thanks to V. N. Tatischev, it is said that the Slavic language, as they say, living on the Danube came from the Scythians, called kazars, called Bulgarians, who settled on the Danube, in the lands inhabited by Slavs living here (TATISHCHEV, 2013).

On the formation of proto-state institutions of the Baltic Slavs at least the beginning of the ninth century, is the fact that the 823 for the princely Congress in Frankfurt was attended by the ambassadors of the Slavic tribe of Wiltz – princes Milepost and Cedra (IVANNIKOV, 2016).

It is important to keep in mind that in the first half of the seventh century. In Central Europe, there was a Slavic state of the Prince Himself, which was an Association of several tribal principalities, formed and expanded during the struggle with external enemies-the Avars and Franks (ALEKSEYEV, 2007). The Avars used the Slavs as warriors who stood on the front line and took the first blow in battles, took tribute from them, placed them for the winter in Slavic homes and took their daughters and wives as concubines. The Frankish merchant Samo joined the army of the Slavs, who became famous for his special bravery and generalship that influenced his election as Prince.

A century and a half later, the great Moravian state emerged in the same region. It is reasonable to assume that it is genetically related

to the tribal Union of the seventh century. According to the Czech historian Jiri Mahacek, Great Moravia was the oldest Slavic power in Western Europe, on the ruins or under the influence of which the medieval dynastic States of the Czech Przemysl and Polish Piast were formed (MACHÁČEK, 2012).

Secondly, the Slavs are one of the oldest peoples of the world, the carrier of the genetic basis of all Indo-Europeans R1a. In the scientific search for the oldest destinies of the Slavs, the first place belongs to linguistics, according to which, the Proto-Slavic tribes separated themselves from the neighboring Indo-European tribes related to them (Germans, Baltics, Iranians, Daco-Thracians, Illyrians, Italians and Celts) about 4000-3500 years ago, in the beginning, or middle of the II Millennium BC.

As a result of excavations in Serbia (the area of Vinca and LepenskiVira) started in 1911 with the support of the all-Russian Emperor Nicholas II, Slavic writings were found, which are considered the oldest in Europe.

Traces of the Slavs are found in many places of the Eurasian continent, including the Siberian and Central Asian expanses, which are located mounds and settlements similar to the Slavic burial sites and settlements of the Baltic, Balkans, Ladoga, Carpathians and Dnieper. Historian E. p. Savelyev noted that medieval Chronicles written by Christian missionaries in the lands of the Baltic Slavs reported on the Slavonic-Russian rulers of Pomeranian Russia in the I

– VI centuries. such as Trannor from Rotalu (Livonia), Vesnazy from Peltisk (Polotsk), Gonduvan, Olymer, Boy (son of Princess Rynda), etc.

Third, the very calling of the Varangians to rule in 862 ads, after their expulsion, indicates the presence of sovereignty and political principle in the old Russian (East Slavic) society.

It is known that the Russian principalities invited not only Varangian squads, but also their steppe neighbors-Pechenegs, Karakalpaks, torks, etc.

Fourth, M. F. Vladimirsky-Budanov, investigating the problems of the origin of the Old Russian state, concluded that the Varangian princes found everywhere a ready-made state system. But the institutions of the people's Assembly and the Prince were known to all Slavic tribes from time immemorial.

Fifth, the Slavs have since ancient times associated their existence with a certain territory. In the story of bygone years, the following is noted:

They were called by their names from the places where they sat down... The Drevlyans, who have grown up in the forests, and the Polota river, are polochans... according to bug – buzhanе, etc. Russian Slavs already at the dawn of history live not in families, not in friends, not in communities, but in "lands", - notes I. A. Malinovsky. - The land is called the Union of urban

and rural communities governed by the Central community, the senior family (MALINOVSKY, 2015: 111).

Thus, the basis of the old Russian state is not princely or tribal relations, but territorial, since the older city with its suburbs is a self-sufficient land community. The Varangians did not establish a new territorial division of the state; it arose much earlier, so the time of its origin should be attributed to the prehistoric era.

4. CONCLUSION

Finns are not Swedes 'Ruotsi' and 'rutty'; a Russian called Venelaste, indicating again Wend, i.e. West Slavic (Baltic) the roots of ancient Rus, who came with Prince Rurik. There is reason to note that the Normanists ignore such facts that Roslagen (more precisely, Rodslagen-from the old Norse dialect Rodern, Rudern-rowing, and Lagh-pier) - the territory of modern Sweden, where the 'Ruotsi' allegedly lived, was underwater in the IX century because Scandinavia slowly rises above the level of the Baltic sea, which gradually shallows. This province is mentioned in the Swedish Chronicles not earlier than the XIII century, and its population stands apart from the Swedes, does not pay the taxes. Perhaps the colonists of Roslagen were Russ who fled from the island of Ruyan when in 1168 the Danish king Voldemar destroyed their main Shrine-the city of Arcona. German Slavist historian Andreas Gottlieb Mash based on archaeological and historiographical data reports on the Slavic temple

of Horsa located in Visigothland and destroyed by the Swedes in the XII century.

Medieval authors have repeatedly noted that the Russ and their lands are known in various parts of the Slavic world: in great Moravia, Thuringia and Saxony (Ruten mark), on the Danube (in Serbia, Bulgaria, and Hungary), in Croatia, Caratania, etc. Residents of the Transcarpathian region of Ukraine still call themselves Rusyns. Russian tribe traces are visible on the Northern and Western shores of the Baltic sea, for example, the town of Reskild, where the medieval German chronicler Saxon Gramaticus lived, translated into Russian means ‘count for Russ’, i.e. the settlement where Russian prisoners were executed.

Thus, we can conclude that the medieval Slavic States arose due to the autochthonous political creativity of the Slavic peoples.

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