

HPEPA 2019**Humanistic Practice in Education in a Postmodern Age 2019****RUSSIAN OBEDIENCE FROM THE PERSPECTIVE OF THE
OFFICIAL LANGUAGE: DIACHRONIC ASPECT**

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Abstract

The article focuses on diachronic status of the ethnic concept "obedience" within conceptual and legal system of Russian official communication. The hypothesis about the contradiction between professional lawfulness and national mentality was tested. The researchers used an integrated technology: nominative features of the "obedience" concept were selected from the text documents, the materials were analyzed considering the context and valence. Definitional and component analysis, lingual and cognitive interpretation, intent-analysis of the documents were also used. A number of word-forms of the "obedience" concept was selected out of the documentary texts of XVII-XVIII centuries. Crucial legal acts were adopted at that time. They were the signs of law's move from medieval period to the new age. Several types of official situations which represented the "obedience" concept were distinguished. It is stated that nuclear categories of the "obedience" conceptual field had been used for several centuries to speak about lawful behaviour and to assess a governmental, criminal, civil offence. It is concluded that the "obedience" ethnic concept is very important as it forms the "legality (legitimacy)/ illegality (illegitimacy)" conceptual field in professional law awareness. It is proved that the legal interpretation of the "obedience" concept corresponded to its national model: a family model "a child - a parent" was a basis for a social and legal model of "employee (subject) – an employer (ruler)".

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1. Introduction

Modern humane sciences including linguistics study the concept of Russian legal nihilism which opposes moral and law in national mentality. It should be noted that the idea of Russian mentality to reject legal norms is represented in unofficial speech which reflects ordinary law awareness: oral lore literature, fiction, mass communication texts, etc. A priori acceptance of this concept helps to conclude that there is an eternal confrontation between professional law awareness and national mentality. Professional law awareness and all the legal system is actually outside the ethnic culture. In addition, a paradoxical statement occurs: national law system supporting social hierarchy with highly respected authorities was established while legal regulation is eternally rejected.

2. Problem Statement

National law awareness development is possible to be studied objectively only taking into consideration historical documents which contain both law norms, situations when they were applied and the categories of legal thinking. The speech representation of juridical concepts should be compared with the components of the linguistic world-image in Russia. Then it would be possible to conclude if professional and ordinary law awareness are close or different, and if there is ethnic and cultural identity of legal thinking.

3. Research Questions

Our previous research shows that the forms of the “legal norm” and “misdemeanor” concepts representation throughout the history of Russian official communication are various and connected with the initial concept of moral system. One of the most relevant for professional law awareness was specific ethnic concept field - "obedience". Its role in national law awareness is not studied in linguistic, historic and law researches. However this field represents ethnic and cultural stereotype determining national identity of the subject of legal relationship. The subject of this research is the forms of "obedience" concept explication in the history of Russian official communication.

4. Purpose of the Study

The purpose of the research is to find the status of the "obedience" ethnic concept in conceptual legal system of the official communication. Objectives: to define the "obedience" ethnic concept in Russian mentality; to name official situations which represented the "obedience" concept, to analyse speech forms representing the concept, to state its functions in legal thinking, to state how close is legal interpretation of the concept to its national model.

5. Research Methods

The research used integrated methods: nominative features of the “obedience” concept were selected from the text documents. Definitional and component analysis, lingual and cognitive interpretation, intent-analysis of the documents were also used.

6. Findings

Russian mentality may be characterized with archetypal model of behaviour which includes adaptation to social environment connected with the inner norm (modesty, self-control) and idealization of the world acceptance which is considered as a value. Ethno-psychology and linguistic culturology consider the following variants as nominations of this archetype: *patience, humility, submission* (Kasyanova, 1994; Shmelev, 2002; Wierzbicka, 1996; Zaliznyak, Levontina, & Shmelev, 2012) The analysis of interconnected components of the studied conceptual field based on the Dictionary of Russian Mentality distinguishes "obedience" as a concept naming unit because other components are defined with the help of this concept so they are semantically derivative (Kolesov, Kolesova, & Kharitonov, 2014, vol.2). The Dictionary provides the following definitions: *obedience* - "a forced ability of a person to submit his/her will and actions to somebody" (ibid., p.48); *docility* - "absolute obedience to somebody's will, voluntary obedience as a result of truth or power acceptance of the person" (ibid., p. 67); *subordination* - "a state of a person or a folk becoming dependent from somebody, obedience to a will of somebody, usually involuntary but sometimes according to personal wish" (ibid., p.41); *conformity* - "fulfilment of all the orders of authorities or of God's will as a representation of social hierarchy" (ibid. p.30) *humidity* - peaceful, agreed and obeyed condition, voluntary to others and involuntary to power" (ibid., p.272); *patience* – "calm and peaceful attitude of a person to any impact towards or even against of him as a sign of resistancy and wisdom" (ibid., p.379). Definitional and component analysis as well as ligual and cognitive interpretation helped to distinguish integral semantic component "obedience" (readiness to obey to somebody's will), which may be considered as a nuclear conceptual feature. Melioration of the feature in Russian legal awareness should be noted as well as its direct connection with the good, bliss, wisdom proved by the quotes from precedent texts in the Dictionary. In addition, "obedience" conceptual field includes national view of social hierarchy, priority of the team, focus of a subject on the opinion and needs of other people.

Speech forms were selected from documentary texts to name official situations represented the "obedience" concept. These naming units were frequently used in XVII-XVIII. The most important legal acts supported the law move from the medieval period to the new age were adopted in this period. Bodies of legal norms and some higher legal acts indicative for the research are "Code, 1649, "Military charter", 1716, "General regulations or Charter",-1720, "Regulations or Charter of Chief Magistrate", 1721, "Authorities to manage Counties of Russian Empire", 1775, edicts of the tsars of XVIII and others. Some documents were in force up to XIX century using reflexes of legal thinking and the language of the previous age, that is why they are sufficient to make an opinion about legal thinking and language for the period of not less than 300 years. In addition, the documents addressed from non-officials to the authorities were studied. Norms of Russian office work and document flow provided that the legal language influenced the language of legislation, court, central and regional authorities. The set of texts of the research makes the results reliable for the whole semantic and conceptual system of official communication.

The result of the selection was a list of nominative units of the "obedience" concept which are used as terms. The list includes mostly lexemes of the "docility" group, which are composed like antonyms: "*docility*", *docile - indocile, an indocile person, disobedient, disobedience, mischievous, undutiful, a naughty person, naughty*. The chosen nominative units are parts of the "obedience" conceptual field. The

texts which we collected help to distinguish the types of official situations where the "obedience" concept was presented.

Lexemes with the meaning of "obedience" *docility, docile* were used in the legal acts to describe the subject and subject model of legal behaviour of a subordinate subject at a particular level of social hierarchy, e.g.: a peasant in relation to his owner - in the Edict of 24 April, 1713 - "О учиненіи наказанія крестьянамъ, которые отложились отъ владѣльцовъ своихъ" (Full law collection of Russian Empire (FLCRE, 1830 1, vol. V № 2668. - Here and below № is a number of a document in the "Collection" (Russian: Polnoe sobranie zakonov" Rossijskoj Imperii. Sobranie Pervoe: v 42 tomah)), a soldier in relation to a commander, 1716 (FLCRE (1830) 1, vol. V, № 3006), officials in relation to their managers - in "General Regulations or Charter", 1720 (FLCRE, 1830 vol. VI.), "Regulations or Charter of Chief Magestrate", 1721 (FLCRE 1, vol. VI, №3708), and whole subjects in relation to the authorities - in "Authorities to manage Countries of Russian Empire", 1775 (FLCRE 1, vol. XX, № 14392). Social hierarchy is highly represented by the assessing nominative model *an obedient slave* (of His Royal Majesty) in the texts of the officials' oaths. Semantic and conceptual model of law included the nominative unit *obedient* together with the attributive *civil* functioning to prescribe general model of legal behaviour to people ("Regulations or Charter of Chief Magestrate"). The obligatory character of obedience is explicated in "Navy Charter", 1720 (FLCRE 1, vol. VI, № 3485. The norms stated there were used in civil law as well: "A manager should rule, and a subject should be *docile*" (The Book V about fines). Intent analysis, contextual and valence analysis of the lexemes used as the terms give rise to state that the legal texts contain the idea of obedience as a basis of legal behaviour. Legal conceptual system adapted the lexemes *docility, docile, obedience* - the seme "legal" appeared with the preserved initial meaning. Thus, the "obedience" ethnic concept appeared to be a basis of the "legality (legitimacy)" concept. Let us pay attention to the implication of the "legality (legitimacy)" concept. Even though Russian lexical system of XVIII describes the lexeme *a law-abiding* as "a person who abides the law" (Dictionary of the Russian Language, XVIII, 1992), it was never used in legislative field as well as the nominative units similar to it, e.g.: *law-abide, law-abidingness*.

High importance of the "obedience" concept may be proved by Russian official communication at all its levels which use throughout the whole history one of the most common documentary genres for subjects to apply to the managers or to authorities with plea to solve a problem. The "obedience" concept can be noticed, first of all, in the lexical presentation of the document genre. The documents of knyaz paperwork called *zhaloba* (*a complaint*) or *zhalobnitsa* (*the same as a complaint*). In XV the term *chelobitnaia* (*a plea*) appeared in the paperwork, in XVIII the term *proshenie* (*a petition*) appeared and existed up to 1920s. The historical variants of the document names emphasized the hierarchy of the communicative situation when a petitioner demonstrated that he was ready to obey and hoped to get help from the superior. *Zhalobnitsa* (*a complaint*) (Dictionary of Russian Academy (1789-1794), p. II, p.1041) derived from *zhaloba* (*also a complaint*) "expression of the unpleasant feelings about an insult or harm made by somebody", *to complain* "to say to a manager or somebody else about the insult, harm or about that something went out of order"; *a complainant* "a petitioner, a plaintiff" (ibid). This terminology emphasizes the family-like relations between a knyaz and his subjects (Kachalkin, 1988, p.88). *Chelobitnaia* (*a plea*) (Dictionary of Russian Academy (1789-1794), p. I, p. 178) derived from Russian

expression *bit' chelom* (lit. to hit the ground with the forehead) means "to make a bow" (ibid., p.174) and *chelobitie* (a noun formed after the set expression) "expression of respect, a bow" (ibid, p.178). *Proshenie* (a petition) (Dictionary of Russian Academy (1789-1794), p. IV, p. 1102-1103) derived from the word to ask means "to complain to a manager or authorities about an offense, to ask for defense" (Dictionary of Russian Academy (1789-1794), p. IV, p. 1102). Secondly, the "obedience" concept can be seen in the text structure of the documents. A *chelbitnaia* usually started with an appeal to a sovereign: *i hit my forehead with the ground* - literally "I bow". This formula was still used during the reign of Peter the Great (the edict "About Courts", 5 November 1723, FLCRE 1, vol. VII, No. 4344). In XVIII the petitions written to a sovereign ended with the formulas *faithful loyal slave*, then *faithful loyal subject*, *loyal subject* (The edict of Catherine II "About the cancellation of words and sentences in petitions to their Majesty and to special places for petitions: a loyal slave bows low, about their replacement by the words: a *zhalobnitsa* (a complaint) or a *proshenie* (a petition), to bring a complaint or ask for help", 19 February, 1786, FLCRE 1, vol. XXII, No. 16.329). Sometimes compound names like *the humble petition* were used in some documents of local and regional level. The text itself contained the formula *I ask in the most humble way*. As the petitions are the documents which move "up from the bottom", the formula structure which denotes the subjects of speech follows the scheme "where to - from". The document starts with the addressee formula as a name of a person or an organization, which has a higher level in society. Submission and humility of the author is expressed in the formula of addressee and addresser by this. Thus, the linguistic image of the petition's author used to be a part of the subject's legal behaviour supposed to implement the ethnic stereotype of obedience.

The group of lexemes with the meaning of "disobedience" (*oslushanie* (insubordination), *oslushnik* (a disobedient person), *oslushnyi* (disobedient), *neposlushanie* (naughtiness), *neposlushnik* (a naughty one), *neposlushnik* (naughty), *preslushnik* (a nonobservant), *preslushnyi* (nonobservant) was more widespread in legislative speech and was more terminized. A greater amount of negative nominative units proves that legal thinking was focused on the assessment of illegal situations. First of all, the situations of subject-subject illegal behavior of the lower subject was regulated by rules at each particular social level. For example, the above-mentioned Tsar's Edict, 24 April, 1713 contains the opposition *disobedience – obedience*, *disobedient - obedient*, which characterises two models of peasants' behaviour towards their masters. In this case the terminization of the words is minimal, their first meaning prevails; some "illegal" is presented here because the words correlate to the term *punishment*. Secondly, these lexemes acted like terms for the group "offense" to regulate negative situations in different areas of law (state, criminal, civil). In this case the subject-subject model was implemented generically: the higher subject is considered to be the Supreme Ruler, the lower one can be any citizen, including officials. The degree of terminization increased because it was about disobedience to a ruler's volition, who had stated the legal norms embodied in the legislative document ("*disobedience* to Our Great Majesty's edict, "*disobedience* in service to His Majesty"). The specialization was provided by the correlation to legal terms such as: *nakazanie* (a punishment), *shtraf* (a fine), *turma* (prison), *sud* (a court), *sudia* (a judge), *pristav* (a bailiff), *isk* (a suit), *istets* (a plaintiff), *umysel* (intent) etc. The code "Ulozhenie", 1649 (FLARE 1, vol. I, №1) uses variable nominative units like *oslushnik - neposlushnik*, *oslushanie - neposlushanie*, *neposlushnyi* which served to name the activity of defendant who prevents to do investigation and court actions. The Tsar's Edict, 22

February, 1709 "About the clean condition of streets and yards observed by Moscow citizens, about the prohibition of rubbish put out and about the maintenance of the bridge" (FLCRE 1, vol. IV, № 2225) contains the words like *oslushniki (the disobedient people)* - Moscow citizens who do not follow the prescribed norm, *oslushanie* - their illegal behavior. The document "Establishments to rule the Provinces of Russian Empire", 1775, contains *neposlushanie* - a general name for insubordination to the authorities. The charter of 28 October, 1697 "About the prohibition for embassy and other officials to wear a rich garment" *neposlushanie* - a breach of the prohibition by the officials (FLCRE 1, vol. III, No. 1598). The Tsar's Edict, 22 December, 1718 "About the assistants from different Ministries assigned to work in the Ministry of Justice sent to help in Senate" (FLARE 1, vol. V, № 3262) treats *neposlushanie* as a failure to follow the regulations by ministry judges. The terminologization reached the highest level, representing the "obedience" concept in XVIII because of the usage of the following lexemes: *preslushnik (a disobedient person)*, *preslushnyi (disobedient)*, *preslushat' (not to obey)*, which are widely used in the same context with the words such as *prestupnik (a criminal)*, *protivnyi (resistant)*, *preslushatsya (to resist)*, (*protiv togo uchinit'*) *to act against of smb* ("Marine Charter"); we should note the similarity in the word-building models of the words *prestupnik (a criminal)*/ *preslushnik (a disobedient person)* in the Russian language. (The Russian words have the same prefixes and suffixes) On the one hand, this fact proves that an offense is conceptually thought to be similar to disobedience, on the other hand, it shows that the direct nominator of disobedience is particularly important. The seme "illegal" developed together with its initial meaning of "disobedience" Thus, the ethnic concept of "obedience" (in its negative form "disobedience") framed the formation of the concept "illegality (unlawfulness)" which was not explicated clearly.

7. Conclusion

The ethnic concept "obedience" played an integral role in the history of conceptual and legal system of Russian official communication. It became a frame of professional legal consciousness to form the conceptual field "legality (lawfulness) / illegality (unlawfulness)". The nuclear nominative units of the conceptual field "obedience" had been used for several centuries as terms to regulate legal behaviour and assess the offences in branches of state, criminal and civil law.

Legal interpretation of the concept "obedience" corresponded to its national model. The layer of the concept "obedience" which is represented by the lexemes of the "subordination" group is stipulated by unofficial communication in family and religious spheres. The family model "a child - a parent" (Dictionary of Russian Academy, (1789-1794), p. 570) is a basis for the social and legal model of "a subordinate (a subject) - a manager (a ruler)" (Dictionary of Russian Academy, (1789-1794), p. 50; Dictionary of the Russian Language XI-XVII, 1975, extr. 17, p. 189; Dictionary of the Old Russian Language, 1989, XI - XIV, vol. 7, p. 250). Also the subject-subject type of the model has been preserved: the volition of a higher subject is an embodiment of a legal norm, legal behaviour is to follow the orders of the higher subject. Similar dictionaries which were mentioned above find the meaning of "insubordination" in the lexemes like *oslushanie*, *oslushnik* without reference to legal norm breach, though there are fragments of official documents among the quotes meant to illustrate the definitions.

It is evident that the terminologization of the nominative linguistic means of the concept "obedience" was not complete, the initial moral connotation preserved and was used as a means of speech impact to

regulate legal and illegal things. Linguocultural background of the author and the addressee of the documentation was the same and made it possible to combine the concept "legality (lawfulness)" with the concept "obedience". An addressee of a legal norm was supposed to follow the model of behaviour based on the ethnic stereotype which meant to perceive a legal norm as a Ruler's volition. Thus, our findings do not prove that historically professional legal thinking were opposed to national mentality, legal beliefs were not opposed to morality. On the contrary, ethnic cultural identity of the legal thinking was found.

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