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**Global Challenges and Prospects of the Modern Economic
Development**
**ON LEGAL POLICY AND LEGAL PRACTICE RELATIONS IN
THE ERA OF DIGITALIZATION**

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Abstract

The study highlights the impact of legal policy on practice law and coherence of the current legal policy with background of the processes of digitalization in legal practice. It is emphasized that legal policy, being a means of influencing the legal system, is inherent to any state. If there is law, the sphere of legal regulation, and, as you know, the state cannot exist without it, then there is legal policy. The state can be considered the main subject of legal policy. It is noted that legal life cannot be conceived without legal policy, since all actions in the legal sphere are in one way or another subordinate to a certain general idea, strategy, which allows us to resist chaos, confusion, disorder of social relations. Recently, the problem of forming legal policy gains special significance, since new opportunities appear along with the idea of an information society. For example, it is now possible to develop and implement strategic directives through digital technologies, the Internet, improved software, and other means. That at least expands the circle of addressees of legal policy and those areas it affects. At the same time, we can notice the opposite process: how the legal policy changes depending on how the social relations are regulated by law and how they are transformed. Life itself prompts the subjects of legal policy to act promptly, systematically, in accordance with the emerging needs of social development. New strategic legal ideas are born that make up the content of legal policy.

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1. Introduction

Legal politics is a unique phenomena of modern political and legal reality. It literally touches all activities in the legal field, fills it with relevant to a particular historical period ideal, fundamental ideas about the best state of political being. As a strategy for the development of society, it determines the vector of its legal life, gives it integrity and meaningful character. Legal policy acts as a powerful organizing principle in relation to legal life. It confronts chaos, confusion and other antipodes of law.

Legal policy is a bridge between the needs of social development and everyday legal practice. And if the objective processes taking place in society induce the development of certain ideas, to replace old ones with new ones, or, perhaps, on the contrary, to the revival of old ideals, then legal policy acts as the very conductor through which these ideas are embodied in real life. So, if we talk about the new ideals, it is in consideration of the recent idea of information society (Korolets & Podshibyakina, 2019) which assumes digitalization of different spheres of social life (Kargapolova et al., 2020), the universal use of new technologies (Popova et al., 2019) and the opportunities offered by the Internet, electronic initiatives (Ivanova, 2019). Now we can observe a situation when information technologies gradually become casual. Sometimes they even play the role of a special dominant among other means of conducting state policy in the sphere of the law. We do not judge whether this is good or bad. Indeed, as the great Russian poet said, you cannot see a face face to face. Great things are seen at a distance (Yesenin, 2018). And only time will prove the effectiveness of the chosen management model.

2. Problem Statement

Legal policy as a phenomenon of the legal sphere, as a science of law, was studied by pre-revolutionary Russian legal scholars. And this tradition continues in modern legal science (Rudkovsky, 2007). In the Soviet legal science the main emphasis was not on the theoretical study of the problems of legal policy, but on the sectoral one. For example, in criminal law, a whole doctrine of criminal law policy was developed. Thus, an active, thorough study of legal policy began only in the 90s of the XX century. But it is done comprehensively both in theory of jurisprudence and in the branch jurisprudence, as well as sociological and political science. There is research at the level of candidate (Korobova, 2000) and doctoral dissertations (Isakov, 2004), monographs (Malko, 2012), numerous publications, etc.

Certain aspects of the problem, of course, are affected by legal policy theory research of recent years, in particular in the light of the question of ways and means of its realization. However special comprehensive study on theological issues of interaction of legal policy and legal practice are not subjected. Meanwhile, the relevance of their theoretical understanding in the era of digitalization, the widespread introduction of information technologies are obvious. The forced introduction of restrictive measures during a pandemic only exacerbated the existing problems in this area. It showed that our way to reach information, high-tech society has just begun. And the point here is not only the availability of Internet resources, the ability to use modern technologies, but also in the minds of people, in the unwillingness to change anything, to learn something new.

3. Research Questions

Researching the topic involved getting answers to the following questions. Is the legal policy related exclusively to the rule of law? What is it? What role does the information society play in relation to the legal life? How justified is it to talk about the legal policy of the state? What is the relationship between legal policy tools and its goals, objectives and priorities? What is related to legal practice? How does legal policy affect it in the context of digitalization? How, in turn, does legal policy change under the influence of legal practice?

4. Purpose of the Study

The purpose of the study was to define the nature of the interaction of legal policy and practice of legal regulation in the conditions that shape information society. For this it was necessary, first, to identify the nature and features of legal policy. It was necessary to understand how it affects legal life, the legal system. Secondly, achieving the goal presupposed an understanding of the essence of legal practice. And here it was necessary to determine the types of activities in the field of legal regulation that relate to it. Thirdly, the task was to identify the connection between legal policy and legal practice emerging under its influence. And finally, the study attempted to establish the nature of the impact that legal practice has on legal policy.

5. Research Methods

Specific legal policy studies limit the study to the scope of the particular humanitarian science - whether the law, sociology or political science – and that is inappropriate. Considering that it is a complex, multidimensional phenomenon that constitutes an object of different branches of knowledge, it makes sense to study it by combining efforts at the junction of the humanities. It is the multidisciplinary approach that seems to be the most promising. The formal legal method was actively used, that made it possible to derive definitions of such key concepts as legal policy and legal practice. The method of synthesis made it possible to present legal practice as a unity of different forms of implementation of legal policy and accumulated legal experience. The method of analysis made it possible to see the specifics of the legal policy in the information society, to identify its features. Armed with a functional method, we were able to explore how legal policy affects legal practice, and at the same time, what effect legal practice has on legal policy. Moreover, as it was established, changes in legal policy under the influence of legal practice can relate not only to the means of its implementation, but also to goals and objectives. The era of digitalization brings new needs and priorities to the fore.

6. Findings

Legal policy cannot be associated only with the rule of law. If there is a legal system, if there is legal life in society, then there is also legal policy. Good or bad, effective or not - this does not change its nature. Legal policy can be interpreted as the activity of the state, a certain way of its actions, which is aimed at organizing all processes in the legal sphere (otherwise - legal life), at subordinating them to the set goals and objectives. Legal policy presupposes a variety of methods and forms of influence on the legal system,

on the legal ideology and established legal practice that is forming in society - the adoption of legislative acts, their application, interpretation, etc.

It is obvious that not only the state contributes to the development and implementation of legal policy. However, its exceptional role in the political system, its unique capabilities and resources, which only extend to the transition to the era of digitalization enable safe use of the term “legal policy of the state”. It covers the processes of legitimizing all activities in the field of legal regulation, subordinating them to uniform principles and strategic prospects, among which is the transition to the information society. The essence of legal policy is the development and implementation in practice of a strategy of legal impact on public relations. The entire legal strategy can ultimately be reduced to a complex of ideas of a special kind, which would be more correctly called strategic legal ideas. They can relate to various aspects of social life, for example, economic relations, but we are always talking about fundamental ideas, working for the future and forming a system. The systemic nature of strategic legal ideas is expressed in the fact that they are interconnected. The implementation of one idea in isolation often does not bring the desired effect, and only all of them in aggregate ensure the achievement of the goals of legal regulation.

The choice of legal policy means is determined by its goals, objectives and priorities, which should be understood by everyone and everyone and supported by society. Currently, one of the leading priorities is the idea of digitalization of various aspects of public life, widespread use of information resources, providing free access to them, and the formation of an information society. The possibility of active use of information technologies creates fundamentally new opportunities for legal policy. We can evaluate and somehow correct the current legal policy only by testing it in practice. The ideas themselves are just the beginning, the impetus, the motive. In order for an idea to work, you need actions, you need people who are able to bring them to life. We are talking about everyday legal practice - activities in the field of legal regulation and the accumulated political and legal experience. It is essentially a set of all forms of implementation of legal policy: law-making, law enforcement, interpretive law, law-systematizing, legal education, as well as the existing legal experience of its implementation within a given state. This is one side of the problem of interaction between legal policy and legal practice. At the same time practice is a criterion of the truth of certain attitudes, the correctness of the priorities set, the effectiveness of the chosen forms and means of implementing the strategy and tactics of legal influence. Legal practice makes it possible to test the legal policy for strength and viability, to assess it, to identify the cons and pros, to outline the directions for further improvement. In this sense, legal practice can be considered the source of those special ideas that are developed within the framework of legal policy.

7. Conclusion

Legal policy exists in any state, and not only in the legal one. Legal policy is work in the legal field, which involves deliberate exposure to legal the society, it is the strategic direction of its legal development. The main subject of legal policy is the state, therefore it seems reasonable to use the concept of “legal policy of the state”. In the era of digitalization, the range of means and methods used in legal policy has significantly expanded due to the use of new technologies related to the circulation of information, in particular, in the provision of public services, providing free access to internet resources. Legal practice is a set of all forms of legal policy implementation, as well as the existing legal experience of its implementation within a particular

state. Legal policy has an orderly and organizing effect on legal practice, subordinating it to certain goals and objectives. Legal practice, consequently, serves as a criterion for the effectiveness of legal policy, the truth of its priorities, the feasibility of goals and objectives, which makes it possible to improve legal policy (Sidorova, 2020). The issues of legal policy implementation in specific types of legal practice - in lawmaking, in the implementation of legal prescriptions, their interpretation, etc., remained outside the scope of the study. The problem of choosing the priorities of legal policy, as well as determining the range of means and methods of its implementation, based on the goals facing the state at a particular historical moment, was also not included in the subject of the study. Outlining the prospects for considering the topic, I would like to focus on such issues as the interaction of legal policy and the practice of adopting legal regulations, their interpretation and implementation. It seems appropriate to trace the impact of strategic legal ideas on the legal consciousness of people, to what extent the population is ready to perceive the idea of an information society. And this is already the problem of the relationship between legal policy and legal education. Analysis of legal practice, all of its varieties based on the concept of legal policy, as forms of its realization allow to comprehensively explore different kinds of activity, to establish the nature of their relationship and subordination of common goals and objectives. At the same time, this approach makes it possible to identify weaknesses in the legal policy pursued by the state and outline an action plan to optimize it.

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