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INFLUENCE OF SOCIAL AND CULTURAL TRADITIONS ON THE PERFORMANCE OF CIVIL SERVANTS

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Abstract

This paper discusses the specifics of civil servants and public officials work, which are the most important elements of government control over the society life. The work of civil service is based on the legislation of the country and is featured by the social and cultural traditions that have developed in the process of socio-historical development of the state. The paper studies the influence of the traditions set that have been formed in the society for a long period of time on the changes in the sphere of public administration. In any state, the priorities in the field of public administration are largely conditioned by the social and cultural characteristics inherent in the population of a particular country. Sociocultural environment is a system of cultural values and generally accepted norms, laws, regulations, scientific data and technologies that the members of the society have at their disposal. One of the specific features of the social and cultural environment is the traditions passed from one generation to another and inherited from previous generations. The system of social and cultural traditions influences all aspects of civil servant's work, varies considerably in different states. The influence of these factors can be traced in the legal regulation of the work of public administration related to the system of views and concepts that have developed in the society about the civil service and its officials, as well as the legal status of civil servants and methods of exercising their powers.

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Keywords: Civil servants, civil service, legal status of civil servants, public administration, social and cultural traditions.



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1. Introduction

Civil service takes an important place in the system of public administration. The prospects for the development of the country in economic, political, social and cultural spheres largely depend on the effective work of the employees exercising the functions of public administration. Therefore, certain requirements are imposed on the work of civil servants, which should guarantee the necessary level of professional qualification of the specialists in the field of public administration. Civil servants must meet the criteria worked out by the society in the process of long cultural and historical development of their country.

In this connection, civil servants of any country ought to use their powers in terms of social and cultural characteristics of their country and take into account the public perceptions about their role in solving the relevant social problems. These perceptions are largely based on the traditional views that reflect public attitudes to the state influence on the processes in the life of society.

Social and cultural traditions and their influence on social life are greatly discussed in scientific literature (Sidorchuk & Sosnina, 2017; Kolomeyzev & Shipunova, 2017; Bylieva, Lobatyuk, & Rubtsova, 2018; Shipunova, Mureyko, Berezovskaya, Kolomeyzev, & Serkova, 2017; Matveevskaya & Pogodin 2017). Influence of sociocultural traditions on all spheres of the social life, including public administration, is highlighted in this paper.

2. Problem Statement

Civil service is a complex legal phenomenon, and it is necessary to formulate its most relevant definition, which will allow us to reveal its characteristic features.

According to Korkunov, civil service is "the right to use power to a certain extent" (Korkunov, 1908, p. 400-401). Other researchers stated that civil service is the legal entity that is formed when the person is appointed to a public position (Gradovsky, 1908, p.27). From another point of view, civil service is the realization of the will of the supreme authority by a certain person (Ivanovskiy, 1895). Special attention should be given to the definition of one of the researchers, according to which civil service is in the process of constant changes under the influence of political situation (Filippov, 1907).

Some researchers believed that the term 'post' is the key word in the definition of the civil service (Gushcheva, 2006).

In the current period of social development, civil service is defined as "a special kind of socially useful activity aimed at governing various spheres of social life" (Bakhrakh, 1996, p.10).

As other researchers believe, "civil servants are the main component of the civil service institution" (Atamanchuk, 2000, p.39). In the opinion of some scientists, the concept of civil service is closely connected with the concept of bureaucracy and officialdom (Volochkova, 2010).

There is a conceptual assumption that within the framework of the civil service and public administrative system there is an established system of rules of conduct (Aron, 1993).

Thus, it can be stated that the civil service implies the range of activities aimed at performing the functions of governmental power, implemented within the framework of special requirements stipulated by the set of normative legal acts governing public relations in the field of administration.

The conclusion can be made that there is a close link between the notions "civil service" and "civil servant". It seems that a civil servant is someone holding a certain official position and whose work corresponds to the basic concepts of the legislation of a particular state, in which the functional duties are assigned to them.

3. Research Questions

The image of a civil servant is based on the profound system of sociocultural traditions that have been formed in the society as a result of the long-term development. Traditions exist regardless of administrative attempts to improve the performance of civil service in the country. Often, the traditional perceptions of the civil service play a very significant role in the development of the governmental bodies and are implemented in the framework of legal acts that regulate the activities of civil servants in the system of governmental bodies.

Social and cultural traditions are quite stable. They cannot be changed in a relatively short period of time, since any society, being a complex socio-political system, is based on formal and informal links between individual structural elements, which ensures its sustainable development

4. Purpose of the Study

In connection with the processes taking place in the social and political life of the Russian society and some other states, the problem of identifying the changes in the field of civil service and public administration becomes relevant, comparing the improvement of the system of administrative authorities of the Russian Federation and the People's Republic of China.

It is also important to study the specifics of the legal regulation of the official duties performed by civil servants; the influence of social and cultural traditions on the work of civil servants; the functional duties of public servants in terms of the requirements and attitudes that have been formed in the society and the requirements for those who hold the positions in governmental bodies.

5. Research Methods

Within the framework of the proposed subject, various methods and approaches based on the system-structural analysis of the phenomena studied were used. Conceptual historical methods of determining the essence of the development of this field of social relations were applied.

To study the main issues related to social and cultural traditions, a special method for sociological research was used together with other consistently logical methods to determine the multifaceted nature of the phenomena inherent in the civil service.

To determine the specific features of the influence of the current social and cultural traditions of a particular society on the performance of the civil servants, the authors used the methods of comparative analysis of the work of the representatives of governmental bodies of the Russian Federation and the People's Republic of China.

In addition, when examining the issues of regulating the professional duties of the employees of the public administration system, the authors applied the techniques and methods appropriate for legal modeling of the relations in the work of public authorities.

6. Findings

Today, in the Russian Federation, a fairly extensive legal and regulatory framework has been established, the acts of which regulate many aspects of the civil service and the official duties assigned to civil servants by the government officials. However, despite the constant improvement of the system of legislation in this area, the functions of civil servants stipulated by the requirements of the public administration are largely based on the provisions beyond the framework of normative legal acts. This situation is typical both for the system of civil service in the Russian Federation and for the public administration in the People's Republic of China.

At the same time, there are fundamental differences in the definition of the most important requirements for the performance of functions within the system of public administration in our country and in China.

These differences can be explained by the fact that the Russian Federation does not have a well-defined state ideology concerning the role of the state in civil service and public administration, while in the People's Republic of China, the approach to the goals and objectives of the civil service is based on the concept of "socialism with Chinese specifics", which is explicitly reflected in the legal regulation of the aspects concerning the work of the departments of civil servants.

On the one hand, this difference in the positions of the legal support of civil service and public administration in the Russian Federation and the People's Republic of China reflects the specifics of social, economic and historical development of the two countries. On the other hand, this difference shows the variety of techniques and methods used to solve problems in ensuring the effective performance of workers in the sphere of public administration.

The approaches to determine the position of the specialists engaged in the civil service and public sector reflect significant political circumstances, due to which the Constitution of the People's Republic of China officially states the leading role of the Chinese Communist Party, which in many respects is comparable to the provisions of the Constitution of the USSR at the last stage of its existence.

At the same time, the main document of the Russian Federation does not stipulate that the state ideology is the basis for the formation of the main institutions of the state. It should be noted that such a conceptual distinction directly influences the methods of exercising the powers by the governmental bodies within the framework of the existing political structure of society.

The ideological basis underpinning China's governance system significantly limits the variability of decision-making by civil servants in the country, which has a negative impact on the ability to achieve maximum effectiveness in governing the most important processes in Chinese society.

In the Russian Federation, however, the absence of ideological overtones in the activities of the system of public administration allows civil servants to choose the most effective options to resolve issues within the competence of governmental bodies. In the People's Republic of China, the work of employees in public administration is facilitated by the fact that the goals and objectives are unambiguously defined by the state and the boundaries of the activities of civil servants in China are restricted, which allows them to formulate the clear criteria for evaluating their performance. In the Russian Federation, the ambiguity of

the tasks for the public administration system entails some vagueness in determining the priority decisions in the implementation of functions.

It should be noted that the legal regulation of governing issues in the People's Republic of China is linked to the documents adopted by the Communist Party, and this practice imposes certain restrictions on the mechanism of public authorities functioning and the activities of the employees in public administration. In our country, such situation lasted until 1991, that is, until the moment of the principle reform of the entire socio-political system. Today, employees in the sphere of public administration are focused, first of all, on achieving positive results in economic, social and cultural spheres basing their decisions on the legislation.

Despite the significant difference in the approaches to determine the most significant elements of the civil service institutions in the Russian Federation and the People's Republic of China, it should be noted that in both countries the process of reforming the administrative bodies takes place almost simultaneously.

In the People's Republic of China, a number of legal acts and the documents issued by the Communist party regulating the main approaches to the work of the system of civil service have been developed in this period of time.

In 1988, the approbation of the project began in some central and local governmental bodies. In 1988 more than 1 million people took part in the interviews for the regular posts in government bodies at various levels. The Provisional Regulations on Civil Servants entered into force on October 1, 1993. This was preceded by several years of preparatory work, including four years of experimental testing of the project effectiveness (Gudoshnikov, 2008).

The "Law of the People's Republic of China "On Civil Servants" was adopted on April 27, 2005, at the 15th meeting of the Standing Committee of the China National People's Congress, which entered into force on January 1, 2006. The Law "On Civil Servants" was the first legal act related to the creation of the party-government body that governed the development of China. On July 12, 2009, the Chancellery of the Central Committee of the Communist Party of China jointly with the State Council published the "Provisional Regulations on the Procedure for Holding the Leadership of the Party and Government to Account". On April 8, 2004, the Administration of the CPC Central Committee published the "Provisional Regulations for the dismissal of leading personnel of the party and the government", in 2006 the CPC Central Committee published the "Provision (temporary) on the personnel training and education". In 2006, the "Provisional Regulations on the accounting of family ties in the appointment of the leading personnel of the party and the government" was adopted to reinforce social security and the fight against corruption (Mokhorov, 2017; Lipsky, 2016).

Thus, at the beginning of the twenty-first century, the necessary measures were taken in the Russian Federation and the People's Republic of China to improve the legislation regulating the public administration in order to achieve compliance of the legal acts with the requirements of the changing economic, political, social and cultural life of the population of both countries and to overcome the collisions of legal nature that hamper the effectiveness of public administration.

Analyzing the performance of administrative structures in the Russian Federation and the People's Republic of China, it should be noted that the social and cultural traditions of both the Russian and the

Chinese society have a profound impact on the variety of methods of exercising administrative powers by civil servants in both countries (Leksin & Porfiryev, 2016).

The traditions influencing the work of the Russian civil servants and public officials include such essential features as corporate goal-setting, realized within the framework of specific duties performed by the employees of the governmental bodies. It is based on the traditional perceptions of civil servants about their special status and their distinctive position compared with the workers in other spheres of the Russian society, since their position is associated with the exercise of state power. These traditions originated centuries ago and are directly related to the gradual increase of the layer of bureaucratic officialdom, whose duty is to resolve any pressing problems of the population of the Russian state. Identification of representatives of civil servants with governmental power separates the workers of state authorities from all other representatives of administrative structures, since in our country the interests of the state are of high priority. This traditional idea still abides in the mentality of civil servants, despite the fact that the Constitution of the Russian Federation and the Federal legislation clearly articulate priorities for the realization of the rights and freedoms of the citizens.

Comparing the attitudes of the Russian civil servants with the traditional ideas prevailing in Chinese society about the role of public administration and its employees, it should be noted that China has a stable approach, oriented toward the traditions of the Chinese philosophy of building the society of the Chinese dream, and the formation of a harmonious society (Lun, 2014). That is, the work of civil servants in the administrative structures of this country is based on the concepts of China's traditional culture and the legacy of Confucius, Shang Yan and Mencius.

It is worth mentioning that in the fulfilment of their professional duties by the government officials of the Russian Federation, personal dependence of an official on his superior often takes place. This factor was inherent in the work of the state administration throughout the history of the development of our state and is still present in the activities of state structures today. This is due to the fact that often the appointment to a public position is conditioned by the head of the structure and his decision largely determines whether a certain person will occupy a place in the administrative hierarchy.

This state of events was inherited by the modern system of civil service of the Russian Federation from the traditions of the government bodies of the Russian Empire and the Soviet Union, although those states differed significantly in the socio-political structure.

In the People's Republic of China, an attempt is currently being made to move away from the traditional dependence of civil servants on the position of the head of the public authority. However, this approach often contradicts with the real forms of exercising state power by the employees of the administrative structures.

The functions of civil servants and public administration both in the Russian Federation and People's Republic of China imply that workers in this sphere traditionally have a wide range of material and financial opportunities that they enjoy as a reward for their performance in the economic, social, political, cultural spheres of the whole society and individual groups of the population, as well as the regions (Pogodin & Li, 2017).

This aspect is directly associated with the interests of civil servants in the results of their professional work, due to the fact that the material and financial perks depend on the achievement of certain goals in certain periods or the extent of meeting the demands of certain communities.

Civil servants perform their activities, which should largely meet the demands of the population of a particular community. They will not be able to fulfil their functional duties if their efforts do not meet the expectations of the citizens of some communities.

The civil service relates not only to the sphere of government, but it should also provide a diverse range of works and services, which would largely lie in line with the pressing public interests (Boldyreva, 2017; Alasas, 2017; Ivanter et al, 2016). Therefore, employees of government agencies ought to respond quickly to the changes in the demands of particular social groups or society as a whole.

Taking into account the vast territory of the Russian Federation, the diversity of the population's requests indifferent regions and a significant number of different ethnic communities, the requirements to civil servants are more variable. However, it is possible to identify a number of priority demands that are constantly present in the appeals of our citizens.

In many respects, a similar situation in this area is inherent in the development of the Chinese state. Given that there is the largest population in the world there, the demands of individual social groups can differ significantly in their economic, cultural, and political preferences. At the same time, national problems are of different nature in the People's Republic of China (Van et al., 2015).

In the Russian Federation, officials ought to fulfil their functional duties in the conditions of the reform of the entire range of economic activities, which requires sufficient flexibility of governing structures in making decisions on emerging issues during the radical transformation of socio-political and economic sphere. Often the situation occurs when the representatives of public authorities, undertaking the necessary steps, cannot, and sometimes do not want, to provide a clear justification for the proposed solutions to the problems.

Hence, the population of the country responding to the lack of awareness of public officials on a particular issue begins to express dissatisfaction with the work of public administration. In view of the fact that the legislation provides ample opportunities for the appeal of citizens to various authorities, in such situation the number of all kinds of complaints, petitions and claims that are sent, first of all, to the President of the country is growing substantially. This is confirmed by the statistics on the number of applications, complaints and appeals coming to the Administration of the Head of State, which indicates a low level of efficiency in the fulfilment of the professional duties by the numerous officials in various regions of the Russian Federation.

Today, in China, there is a different situation in the sphere of exercising power by the representatives of the civil service, according to the specifics of the development of the political system (Pogodin & Li, 2017). In China, the population also handles numerous statements and petitions that indicate their demands in the social, economic and cultural spheres aimed at improving the effectiveness of public administration by the immediate performers. This situation is due to the fact that the legislation of the PRC clearly states the inadmissibility of the criticism of the system of state power by the citizens. This is one of the cultural and historical traditions inherent in the development of the Chinese people for several millennia.

Based on the deep-rooted views in the Russian and Chinese society, people who hold positions in state structures ought to satisfy high demands, which must correspond to officials working in the governmental bodies. These requirements are reflected in the legislative acts adopted in the Russian Federation and the People's Republic of China.

It should be noted that the list of requirements imposed on those, exercising state power, is based on the fundamental principle of justice.

As the majority of the population believes, any worker in the Russian Federation who performs the functions of public administration should, first of all, be fair in considering the problems that he must resolve at his work.

The regulatory legal acts that determine the status of a civil servant in our country contain a number of mandatory requirements for those occupying positions in the civil service. In particular, these requirements include: the citizenship of the Russian Federation, full legal capacity, absence of outstanding criminal record, absence of restrictions on physical health, absence of close family ties between persons occupied in public authorities, the availability of official documents on the level of vocational education and previous positions, the provision of the information on income, property and liabilities on property when entering the civil service, and serving on military draft.

At the same time, the requirements for a civil servant are formulated in which the conditions forbidden in the performance of the official duties of the civil service are listed: engaging in entrepreneurial activity, acquiring securities with the subsequent return, receiving rewards or bribes from third parties, disclosing or using information classified as confidential in accordance with federal law or official information obtained in the process of performing the official duties for the purposes not related to civil service; making public statements, judgments or assessments, including in the mass media, regarding the activities of state bodies, their leaders, including the decisions of a higher governmental body or a governmental body in which a civil servant occupies a civil service post, if this is not part of their duties, etc.

In the People's Republic of China, the legal requirements for public servants are formulated as follows. Their activities must comply with the Constitution, laws and regulations. They must fulfil their duties in accordance with the law, regulations and policies of the state, accept the supervision of the population, serve the citizens of their country with all their might, support the security of the country, defend the honor and interests of the state, be faithful to their duty and obey orders, keep and protect state and official secrets; they must be fair, honest and noble and perform other duties stipulated in the Constitution and legislative acts.

Thus, these provisions indicate conceptual approaches in the field of mandatory characteristics inherent in the workers of the state administration in China, which fully corresponds to the party attitudes that are realized with the Communist Party of China taking the leading role in all aspects of the life. This underlines the unambiguous dependence of the requirements imposed on the officials of state-power structures on the provisions adopted by the highest Communist party bodies at their congresses and plenums. This restriction is in line with the specifics of the political system of Chinese society at the current historical stage and reflects the national and cultural features of the state.

7. Conclusion

Considering the influence of social and cultural traditions on the activities of civil servants, the following conclusions can be drawn.

In the Russian Federation, the work of civil servants, on the one hand, is regulated by the legislative acts designed to regulate the entire range of social relations that have developed in the sphere of public authority, and, on the other hand, the fulfilment of official duties by those occupied in civil service is largely conditioned by the traditional approaches, having been formed in the Russian society for a long period of time.

These key tendencies are reflected in the work of public administration by the representatives of the state, which directly affects the effectiveness of decisions and implies the inevitable variability of approaches within the framework of resolving the acute problems in the economic, social and political spheres of our society.

Analyzing the work of the governmental bodies in the People's Republic of China, the conclusion can be drawn that despite the ostensive similarity of the problems resolved by the state structures, there are significant differences in the duties performed by the officials of state authorities of China and Russia, which is predetermined by the specifics of the cultural and historical development of both countries and their traditions. Therefore, the significant political differences reflecting the peculiarities of the state systems of the Russian Federation and the People's Republic of China should be taken into account.

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