THEORY AND HISTORY OF LAW ENFORCEMENT

DOI 10.24147/2542-1514.2020.4(1).5-13

LAW ENFORCEMENT ISSUES: INFLUENCE OF THE ROMAN LAW ON RUSSIAN CONSTITUTIONIALISM

Sergey N. Baburin[1,2]

[1] *Institute of State and Law of the Russian Academy of Sciences, Moscow, Russia*

[2] *Dostoevsky Omsk State University, Omsk, Russia*

Article info
Received –
2020 January 17
Accepted –
2020 March 15
Available online –
2020 March 30

Keywords
Roman law, constitution, constitutionalism, reception, tradition, spiritual values, historical features

The subject. Modern law enforcement is considered in harmony with the spiritual and moral foundations of legal culture through the use of ideas and approaches of Roman law.

The purpose. An attempt has been made to assess the influence of Roman Law on Russian constitutionalism and modern law enforcement on the basis of the spiritual and moral traditions of Russian legal culture.

The methodology. Methods of dialectical logic, analysis and synthesis, comparative-historical, formal-legal methods were used. The main method is comparison of foundations of Roman law with the basic principles of Russian constitutionalism.

The main results and scope of their application. The problem of influence of Roman law on Russian constitutionalism and, in general, on the basis of modern Russian law enforcement is raised. If universalism and individualism should be believed as the foundations of classical Roman law, then the basis of Russian law is community and social solidarity. In Russia collective property and joint work as well as ancestral structure in the form of a rural community reached the modern times, while in ancient Rome their disappearance was the basis of the formation of Roman law. National peculiarities of the Russian legal and political systems are determined by cultural-historical (civilizational) circumstances, especially by the natural and climatic factors. It was in the communal world of Russia that the idea of Christian equality has formed the basis of the model of life, while in Western Europe the community has followed the path of individualization of the individual and differentiation of elites and masses according to the criteria of social success. The absolute belief in law as a phenomenon of social planning and a tool for compromise between different parts of society, inherited from Roman law, formed the Romano-German and Anglo-Saxon worldview, but it did not take root in Russian legal culture. Modern Russian constitutionalism, while poorly considering the Roman-Byzantine origins of national Russian law, is wrong in its denial of the national-cultural and historical adaptation of European legal institutions and principles.

Conclusions. One of the important results of the study is the conclusion that the social value of Roman law in Russian Constitutionalism includes the moral mission of Roman law and a high assessment of the normative value of the heritage of Roman law. The value depravity of the current Constitution of the Russian Federation can be eliminated, its defects can and should be corrected on the basis of the Roman law tradition, but this should be done only by adequately assessing the own experience of law enforcement, the thousand-year state-legal and spiritual development of the Russian civilization.

ISSN 2542-1514 (Print)

1. Introduction.

Modern public law as a set of branches that regulate public relations related to the provision of public or national interest, the protection of the common good, can not be imagined outside the institutions and principles of Roman law. Moreover, in the content of any legal institution, it is always necessary to see the implementation of the guiding political and legal principles (ideas), in accordance with which the impact of law on the relevant area of public relations occurs [1, p. 41-96; 2, p.82]. The present is rooted in the past, and every rule of law is a product of previous history [3, p. 42; 4, p.11-122]. Even guy in the" Institutions " noted that all peoples living on the basis of laws and customs, enjoy part of their own right, and part of the General right of all people [5, p. 17].

We will try to consider modern law enforcement as the use of ideas and approaches of Roman law in harmony with the spiritual and moral foundations of Russian legal culture. It is important to use methods of dialectical logic, analysis and synthesis, comparative-historical, formal-legal and other methods to identify the influence of Roman public law on Russian constitutionalism. This is especially significant in the light of the growing General crisis of the world community, when the transformation of the paradigm of state sovereignty and legal intervention have become civilizational problems [6, p. 67-71], and global problems turned into global challenges.

2. To general questions of reception of Roman law.

Many modern politicians and lawyers, brought up mainly on Eurocentrism, perceive Roman law as a substantial, objective, self-sufficient phenomenon sanctified by a higher mind. The prevailing view is that since the time of Ancient Rome, law has been objectified in a clearly fixed form and is able to separate itself from its author – Creator, and therefore can be suitable for different historical epochs and different peoples [7, p. 198]. Despite the fact that in the XX century. it was realized that the modernization associated with the borrowing of Western legal forms is possible only in societies close to the prevailing type of social and regulatory regulation (law) [8, p. 67; 9, p.73-111; 10, p. 117-120]. it was the attempts to forcibly "civilize" peoples that led to colonialism, and now – to misconceptions about the universality of European and North American law enforcement. The violent impact of the values of one civilization on the values of another is counterproductive, including when it comes to the contradiction of the universality of Roman law to the cultural relativism of modern law, which denies the universal nature of human values, which vary significantly depending on different cultural perspectives [11, p. 128, 140]. However, M. Makhmudzoda is right in stating that the reception of Roman legal institutions can be considered as one of the sources of enrichment of national law at a higher stage of social development [12, p. 219, 220].

When evaluating modern law, we cannot agree with F. K. Savigny in his statement that "only the private law of the Romans as a whole became part of our state of law" [13, p. 275], even taking into account the fact that issues of terminology in science, as we know, always require special attention [14, p. 44-49]. It is all the more important to correctly determine the significance of Roman law for modern law enforcement, because Roman legal culture, legal science and practice have almost two thousand years of experience. Roman public law is still

ISSN 2658-4050 (Online)

visibly present in the expanses of Eurasia [15, p. 5-9; 16, p.14-15].

The institutionalization of modern public law demonstrates both the internationalization of the state and law, which leads to various forms of state integration, and the persistent trend of increasing state influence on society, which includes the complexity of the system of this influence. If it is possible to note a decrease in the prohibiting nature of public law norms, then this decrease corresponds to a simultaneous increase in their binding and permissive nature.

In the statement that the ideological prerequisites of modern constitutionalism throughout Europe are rooted in classical Roman constitutionalism, as well as in the warning that to think of a direct connection between modern constitutionalism and Roman law means to move in the wrong direction, we should agree with O. Sacchi [17, p. 104]. At the same time, it should be borne in mind that constitutionalism cannot be reduced to the process of developing constitutions, to constitutional construction. It also acts as a form of public consciousness based on the recognition of constitutions as a social value. Constitutionalism is an objective reality of public life, which is formed around the Constitution (the Basic law). The change of historical epochs and the transformation of the national spirit of different peoples inevitably changed both the national legal systems and the format of their synthesis with the Roman legal heritage.

Before assessing the impact of Roman law on Russian constitutionalism, we should note that the reception of Roman law is the enforcement of Roman law achievements in new historical conditions. As a result of voluntary reception, the Romano-Germanic system is spread throughout the world, being present in countries far from Rome and even Europe. If in individual States legal systems were transformed, having passed through repeated ideological degenerations of society, or the institutions of Roman law could not adapt to the local legal tradition, then they all penetrated into the legal matter, even in a distorted form.

For example, the Criminal code of the Holy Roman Emperor of the German nation of Charles V, which went down in history under the name "Carolina", is a monument of European law of the late feudal period. It is a striking example of Roman law, especially in the theory of evidence [18, p. 7]. Remaining for three hundred years the only General Imperial law, "Carolina" had a huge impact on the formation of criminal law and criminal procedure in all European countries, and, as noted by researchers, in Germany, not directly copied the norms of the Justinian Code, but the legal norms already revised by Italian legal scholars, and their German popular legal publications [18, p. 15].

Thus, representatives of the Bologna law school XI-XIII centuries, the glossators, the first in the Christian West after the "dark ages" the early middle ages revived the Roman legal heritage, deliberately transformed it to the needs of its time, combining the text of code of Justinian from scholastic (dialectical) method of its interpretation and contemporary special scientific environment in which this interpretation had occurred [19, c. 288].

The limitations of this interpretation of Roman law were determined by the non-historical approach to it, when the Justinian Code was considered as a timeless legal monument reflecting the unified will of the legislator. Hence, the role of Roman law was crucial in the development of Canon law. But not the Roman law itself, but the theory of glossators, as D. Y. Poldnikov convincingly proves, should be considered the historical Foundation of modern Western European

ISSN 2542-1514 (Print)

jurisprudence [19, p. 9, 295]. Glossators and postglossators reworked Roman law, adapting it to the General judicial customs of their time, developed under the influence of German norms from Lombard sources, from generalizations of papal and Imperial legislation, and existing judicial practice. This approach is very pronounced in the same "Carolina". Awarding the method and form of the death penalty according to the circumstances and malice of the crime, "according to the good customs and instructions of a good and knowledgeable judge", "Carolina" in art. CIV establishes sentencing not only for "the good customs of each country", but with the right competent judges not to use "unacceptable in the circumstances of the place and time" Imperial right according to the letter of the law, and "for the love of justice and in pursuit of the common good" to "prescribe and implement penalties at their discretion according to the circumstances and the malice of the crime" [20, c. 7].

As already noted, Roman law is usually identified with civil law and General branches of law, focused on the free discretion of the parties. Legal relations in public law are characterized by their scrupulous legislative regulation, characteristic of Roman law, but exclude the arbitrariness of determining the content of legal relations, and assume an imperative impact on public relations.

Gaius in the" Institutions " emphasized that the right adopted by common consent is a custom that stands above the law of the XII tables and the Praetorian edict [5, p. 203]. In modern public law, the famous principle highlighted in "Institutions" remains extremely important, according to which neither a law nor a decree that has the force of law can change the rules of public law [5, p. 45]. The right, which, as Gaius wrote, was established by natural reason among all people, and which is applied and protected equally among all peoples, the great Roman jurist called the right of the whole people, as if the right enjoyed by all peoples [5, p. 17]. This is a common feature of all modern constitutionalism.

3. Renaissance of Roman legal traditions in modern Russian constitutionalism

The influence of Roman law on Russian constitutionalism is both direct and indirect. Constitutional and legal relations, as we know, cover the basics of the relationship between the state and the individual, the characteristics of the state, starting with the principles of the organization of state power, and a number of similar legal relations. As you know, in Ancient Rome, constitutions were called some of the acts issued by the emperors. Hence the appearance of a "constitutionally free" legal space as a space that is not significant from the point of view of the Constitution [8, p. 17].

Absolute faith in the law as a phenomenon of social planning and a tool for compromise between different parts of society, inherited from Roman law [15, p. 117], became the basis of the Romano-German and Anglo-Saxon worldview, but did not take root and does not take root in the Russian legal culture. Although the West also understands the illusory notion that the legal formula is sufficient in itself not only to outline, but also to change the opposing political forces [15, p. 117].

Russian legal culture has its own history of development. If universalism and individualism should be considered the foundations of classical Roman law [21, p. 59], then Russian law is based on social solidarity and community. The desire for justice is a common feature inherent in law as such. However, it is a mistake to claim that I. A. Pokrovsky is Russian backwardness in the field of law, our being at the tail end of the universal movement due to

ISSN 2658-4050 (Online)

the lack of belonging to the culture of Western Europe, where Roman law was considered to be written reason, for ratio scripta [21, p. 60]. Russia and Russian legal development went its own civilizational way. In Russia, collective property and joint labor, the family structure in the form of a rural community have survived and reached Modern times, while in Ancient Rome their disappearance was the basis for the formation of Roman law [22, p. 7-10]. Slavery was an attribute of Roman law, while even Russian serfdom in its meaning does not apply to slavery, not to mention the fact that the North and Siberia, and a number of other territories of Russia have never known serfdom.

The national features of the Russian legal and political systems are based on cultural and historical (civilizational) features generated primarily by the natural and climatic factor. The natural environment – the severity of the climate and unfavorable conditions for economic life-determined and defines the features of both the national economy of Russia and its political and legal development, which is embodied in Russian constitutionalism. In specific Russian natural conditions, Russia's survival requires the development of special forms of social organization [23, p. 214].

It is in the Russian communal world that the idea of Christian equality formed the basis of the model of life, while in Western Europe the community (civitas) went along the path of individualization of the individual and differentiation into elites and masses according to the criterion of social success (when translating civitas as a state [24, c. 196-198], the conclusion will not change). Russia has been repeatedly pushed and pushed to the same path [23, p. 217-220]. The value orientations of the Russian national consciousness do not accept such a choice. In this respect, the Russian legal culture is close to many Islamic spiritual and moral foundations of law [10, p. 120-128, 25, pp. 37-54]

Even if the countries that have restricted the reception of Roman law on their territory recognize their own civilization with already established rules for evaluating behavior and their own institutions, the arrogance of the civilizational inadequacy of Eurocentrism is reflected in the conclusion that the institutions that govern life in Europe are "completely unsuitable in countries consisting of disparate tribes, for which European-type democracy is equivalent to meaningless phraseology" [26, p. 29].

If already in Ancient times, the result Diocletianus-Constantine reform was the final recognition of the Emperor an absolute monarch [21, p. 236], then Russia the institution of monarchy came with the fall of the Byzantine Empire, was transformed into a God-chosen Russian Tsar, and in the twentieth century, even during the Soviet era is preserved in the form of an informal national (party) Leader even without a title of the Roman Emperor “as dominus deus” (Lord and God). Since the 90s of the XX century, the institution of the supremacy of Executive power has been more and more clearly established in Russia as the President of the Russian Federation. If under the Constitution of the RSFSR before 1993, the President was the highest official of the Russian Federation and the head of Executive power in the Russian Federation (article 121-1 of the Constitution of the Russian Federation of 1978 as amended on 9, 10 December 1992) , now President of the Russian Federation is the head of state and guarantor of the Constitution, the guarantor of the rights and freedoms of man and citizen, who ensures the concerted functioning and interaction of bodies of state power (article 80 of the Constitution). Formally and legally, it does not belong to any of the three "branches" of

ISSN 2542-1514 (Print)

state power specified in article 10 of the Constitution of the Russian Federation. Since the separation of powers does not affect the President as the most powerful bearer of state power, this now leads scientists to draw an unpleasant conclusion about the fictitiousness of the principle of separation of powers proclaimed by the Russian Constitution [27, p. 50]. I note that the ancient Roman understanding of the highest secular power prevails over its later bourgeois interpretation.

The current Russian constitutional situation with the President is generated by the tradition of Roman law, because the power of the Emperor is autocratic, formally unlimited, his will is law (princeps legibus, quiquid principi placuit legis habet vigorem) [22, p. 53]. It remains only to assemble a Constitutional Assembly (Zemsky Sobor) and consider the restoration of the monarchy.

The influence of Roman public law is also present in the constitutional status of modern Russian regions, which are sometimes referred to as provinces according to Roman tradition. Local government, as in late Rome-Byzantium, is based on administrative divisions, which only in exceptional cases reflect the historical and national characteristics of certain areas, acting as artificial territorial units (regions). And in modern Russia, the territorial-individual form is considered the most suitable for representing the interests of the individual [28, p. 128].

Russian constitutionalism takes into account many norms of Roman law in relation to the institution of citizenship, the structure of higher state authorities, etc.

Thus, the Federation Council as the chamber of the Federal Assembly of modern Russia is often called the Senate for a reason. First, the Federation Council in practice actually performs the role of the upper house and stands as if above the "people's Assembly", and secondly, with the introduction in 2014 of changes to article 95 the Constitution of the Russian Federation on the inclusion in the Federation Council of members appointed by the President of the Russian Federation (no more than 10 % of the total number of members of the Federation Council), you can see a return not only to the previous practice of forming the State Council of the Russian Empire, but also to the times of the ancient Roman Senate, which was not an elected body: its members were appointed.

Legal traditions and innovations compete not only in public law. The formation of the modern system of Russian law is affected, for example, by the doctrinal struggle over the relatively independent nature of the existence of civil and commercial (commercial) law, the separation of which, according to M. N. Marchenko, is an important feature of Romano-German law [29, p. 72]. However, after the triumph of such a separate existence of civil and commercial legislation by the beginning of the twentieth century, at the beginning of the twenty-first century, due to specific historical reasons, Russian civil law, monopolizing Roman law, actually absorbed the norms of commercial law.

4. Conclusion

Summing up, we will formulate several political and legal conclusions that are important for modern law enforcement.

First. The creators of modern Russian constitutionalism too often ignore both the precepts of their ancestors and the opinion of state scientists about the need to study the world experience of constitutionalism, but not to descend to blind copying of anything. Formally confirming the principle of Roman law that "only in a state where the power of the people is greatest can freedom live" [30, p. 67], constitutionalism in practice is formalized and

ISSN 2658-4050 (Online)

deprived of reality. Meanwhile, in the paradigm of progressive development of law- the assertion of morality and morality, the liberation of society from legal deviations and social addictions, alien to the spiritual world of man [31, p. 362]. The value depravity of the current Constitution of the Russian Federation can be eliminated, its defects can and should be corrected, but this should be done only by adequately assessing their own experience of law enforcement, thousands of years of state-legal and spiritual development of the Russian civilization.

Second. For modern States, with all their secular constitutionalism, spiritual, moral and religious criteria for their further development play an extremely important role [9, p. 73-77; 25, p. 33]. The social value of the presence of modern Roman law in Russian constitutionalism includes not only a high assessment of the normative value of the institutions and principles of Roman law, but also the moral mission of Roman law in the process of law enforcement.

ISSN 2542-1514 (Print)

REFERENCES

1. Kofanov L.L. (ed.). *Justinian's Digestes. Vol. 1. Books I-IV*. Moscow, Statut Publ., 2002. 584 p. (In Russ.).

2. Avak'yan S.A. *State-legal Institutions: Concepts and Formation (In Relation to the Activities of the Soviets)*, in: Avak'yan S.A. *Razmyshleniya konstitucionalista*: Izbr. stat'i. Moscow, Izd-vo Mosk. Un-ta, 2010. P. 80-90. (In Russ.).

3. Khvostov V.M. *The System of Roman Law*. Moscow, Spark Publ., 1996. 522 p. (In Russ.).

4. Alicic S. *Sulla difesa dei diritti civili in Serbia in riferimento ad alcuni concetti giuridici romani. Narodni tribune e potere negative [On the defense of civil rights in Serbia in reference to some Roman legal concepts. Narodni grand-stands and negative power],* in: *I Seminario eurasiatico di Diritto romano. I Evrazijskij seminar po rimskomu pravu. Dusanbe, 14-15 oktobre 2011*. Dushanbe, 2013. P. 111-126. (In Ital.).

5. Saveliev V.A., Kofanov L.L. (eds.). *Gaj. Institutions.* Moscow, Yurist Publ., 1997. 368 p. (In Russ.).

6. Savenkov A.N. *Philosophy of Law, Legal Thinking and the Global Problems of modern Civilization*, in: Savenkov A.N. (ed.) *Transformatyya paradigm prava v zivilizatsionnom razvitii chelovechestva: doklady chlenov RAN*. Moscow, IGP RAN, 2019. P. 9-92. (In Russ.).

7. Alliot M. *Ueber die Artendes "Rechts-Transfers" [On the types of "legal transfers"]*, in: Fikentscher W. von, Franke H. *Entstehungund Wandelrechtlicher Traditionen*. Muenchen, Alber, 1980. 820 s. (In Germ.).

8. Varlamova N.V., Vasilieva T.A. (eds.). *Internationalization of constitutional law: modern trends*. Moscow, IGP RAN, 2017. 224 p. (In Russ.).

9. Ragimov I.M., Baburin S.N., Golik Yu.V. et al. *Modern State in an Age of Global Transformation: An Analytical Report*. Saint-Petersburg, Yuridicheskij centr-Akademiya, 2019. 344 p. (In Russ.).

10. Baburin S.N. The Significance of the Great Iranian Revolution for the Modern World: Spiritual and Value Dimension of Constitutionalism. *Bulletin of Moscow Region State University. Series: Jurisprudence*, 2019, no. 3, pp. 116-130. DOI: 10.18384/2310-6794-2019-3-116-130 (In Russ.).

11. Khalikov A. *Globalization of human rights and the problems of the nation state: the contradiction of universalization and cultural relativism in modern law, in: I Seminario eurasiatico di Diritto romano I Evrazijskij seminar po rimskomu pravuyu. Dusanbe, 14-15 ottobre 2011*. Dushanbe, 2013. P. 127-141. (In Russ.).

12. Mahmudzoda M. *The reception of Roman law in modern civil law of Respublic Tadzhikistan,* in: *I Seminario eurasiatico di Diritto romano. I Evrazijskij seminar po rimskomu pravuyu. Dusanbe, 14-15 ottobre 2011*. Dushanbe, 2013. P. 219-225. (In Russ.).

13. Savin'i F.K. von. *The system of modern Roman law. Vol. 1*. Moscow, Statut Publ., 2011. 510 p. (In Russ.).

14. Chistyakov O.I. *1924 Soviet Constitution*. Moscow, Zertsalo-M Publ., 2015. 224 p. (In Russ.).

15. Catalano P. Eurasia e diritto romano [Eurasia and Roman law]. *Roma e America. Diritto romano commune*, 2012, no. 33, p. 3-17. (In Ital.)

16. Catalano P. *Il diritto romano in Asia Centrale [Roman law in Central Asia], in: X colloquio del romanisti del'Europa Centro-Orientale e dell`Asia. Dusanbe, 19-21 oktobre 2005.* Dusanbe, 2007. P. 11-16. (In Ital.)

17. Sakki O. *The Idea of Law (D. 1.3.2) and the Principles of Sovereignty (D 1.3.32 and 1.4.1) in digest's first book. Paradigms of modern constitutionalism?*, in: Kofanov L.L. (ed.). Justinian's Digestes. Vol. VIII. Moscow, Statut Publ., 2006. P. 101-120. (In Russ.).

18. Bulatov S.Ya. *Preface*, in: Carolina: *Criminal court case of Charles V.* Astana, IDEAL-IS Publ., 2009, 2010. P. 7-31. (In Russ.).

19. Poldnikov D.Yu. *Contractual theories of glossators*. Moscow, Academia Publ., 2008. 344 p.

20. *Carolina: Criminal court case of Charles V.* Astana, IDEAL-IS Publ., 2009, 2010. 160 p. (In Russ.).

21. Pokrovskij I.A. *History of Roman Law*. Moscow, Statut Publ., 2004. 538 p. (In Russ.).

22. Puhan I., Polenak-Akimovskaya M. *Roman law (basic textbook)*. Moscow, Zertsalo Publ., 1999. 411 p. (In Russ.).

23. Bagdasaryan V.E. *The Values of Public Policy*. Moscow, INFRA-M Publ., 2018. 286 p. (In Russ.).

24. Kofanov L.L. *The concept of res publica and civitas in the 50th book by Digest Justinian*, in: Kofanov L.L. (ed.). *Justinian's Digestes*. Vol. VIII. Moscow, Statut Publ., 2006. P. 196-204. (In Russ.).

25. Ragimov I.M. *On the morality of punishment*. Saint-Petersburg, Yuridicheskij centr, 2016. 221 p. (In Russ.).

26. David R., Jauffret-Spinosi K. *The main legal systems of contemporary time.* Moscow, Mezhdunarodnye otnosheniya, 2009. 456 p. (In Russ.).

27. Luk'yanova E.A. *Constitutional risks.* Moscow, Kuchkovo pole, 2015. 448 p. (In Russ.).

28. Strashun B.A. *Socialism and democracy (Socialist people's representation).* Moscow, Prospekt Publ., 2016. 216 p. (In Russ.).

29. Marchenko M. *Problems of general theory of the state and law. Vol. 2.* Moscow, TK Velbi, Prospekt Publ., 2007. 656 p. (In Russ.).

30. Cicero. *The State. Laws. Old Age. Friendship. Responsibilities. Speech. Letters.* Moscow, Mysl' Publ., 1999. 782 p. (In Russ.).

31. Zhukov V.I. *Saving the population: national interests, morality and law*, in: Savenkov A.N. (ed.) *Transformatyya paradigm prava v zivilizatsionnom razvitii chelovechestva: doklady chlenov RAN*. Moscow, IGP RAN, 2019. P. 282-363. (In Russ.).

32. Kerimov D.A. *Methodology of law: subject, function, problems of philosophy of law.* Moscow, Norma: INFRA-M Publ., 2019. 524 p. (In Russ.).

33. Kuksin I.N., Chechel'nitskii I.V. *Justice as a moral, social and legal category*, in: Soshnikova T.A. (ed.). *Social'naya spravedlivost' i pravo: problemy teorii i praktiki*. Moscow, Izd-vo Mosk. gumanitarnogo universiteta, 2016. P. 31-38. (In Russ.).

34. Chechel'nitskii I.V. *Justice and law-making*. Moscow, Prospekt Publ., 2017. 176 p. (In Russ.).

35. Baburin S.N. *Modern Society between an unjust law and just lawlessness*, in: Soshnikova T.A. (ed.). *Social'naya spravedlivost' i pravo: problemy teorii i praktiki*. Moscow, Izd-vo Mosk. gumanitarnogo universiteta, 2016. P. 19-25. (In Russ.).

INFORMATION ABOUT AUTHOR

Sergey N. Baburin – Doctor of Law, Professor, Honoured Lawyer of the Russian Federation, [1] head researcher, [2] Professor

[1] *Institute of State and Law of the Russian Academy of Sciences*

[2] *Dostoevsky Omsk State University*

[1] 10, Znamenka ul., Moscow, 119019, Russia

[2] 55a, Mira pr., Omsk, 644077, Russia

ORCID: 0000-0002-2213-0127

RSCI SPIN-code: 1212-8135, AuthorID: 790520

BIBLIOGRAPHIC DESCRIPTION

Baburin S.N. Law enforcement issues: influence of the Roman law on Russian constitutionalism. *Pravoprimenenie = Law Enforcement Review*, 2020, vol. 4, no. 1, pp. 5–13. DOI: 10.24147/2542-1514.2020.4(1).5-13. (In Russ.).