

Fiktsii v konstitutsionnom prave: proiskhozhdenie, sushchnost, znachenie (Russian Edition)



Fiktsii v konstitutsionnom prave predstavlyayut soboy svoeobraznyy politiko-pravovoy fenomen, priroda kotorogo v rossiyskoy i zarubezhnoy literature prakticheski ne issledovalas. S ispolzovaniem istoriko-filosofskogo, sravnitelno-pravovogo i formalno-pravovogo podkhodov rassmatrivayutsya gnoseologicheskie i ideyno-politicheskie predposylki vznikhoveniya fiktsiy, ikh sodержanie i rol v regulirovanii obshchestvennykh otnosheniy. Podobno tomu, kak mify yavlyayutsya porozhdeniem chelovecheskogo nevezhestva, to est probela v znaniyakh, fiktsii v konstitutsionnom prave est otchetlivyy signal o nalichii probelov v pravovom regulirovanii osnov gosudarstvennogo stroya. Avtorom podvergayutsya kriticheskomu analizu politiko-pravovye idei Evropeyskogo Prosveshcheniya, instituty demokratii, federalizma, mestnogo samoupravleniya i inye aspekty funktsionirovaniya sovremennoy gosudarstvennosti. Analiziruetsya sostoyatelnost eskhatologicheskikh izyskaniy na temu o Kontse Gosudarstva, prognoziruetsya istoricheskie perspektivy gosudarstva kak politicheskogo instituta i s uchetom etogo predlagayutsya napravleniya konstitutsionnoy reformy v Rossii.

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