

## Foreword of the Editor-in-Chief

The regular issue of the journal "Theoretical and Applied Law" has a thematic character and is dedicated to the problem attracting the high attention of both legal theorists and specialists in specific legal disciplines. The problem discussed is the problem of subjective rights, and scientific and practical relevance of the problem is increasing in conditions of the anthropological turn that has affected other social and human sciences and jurisprudence as well.

The anthropological turn has brought the legal profession to recognize the "harmony of the individual-state relationship" in law owing to the seemingly trivial fact that all legal phenomena result from creative activity of the human society members and is created by them in the process of communication maintained with the use of symbols (signs) and in the process of other social communications. Therefore, the true creator of law is a man in complete set of human psychological, social and cultural characteristics, rather than the nature and state understood in abstract terms. The law is created to satisfy the human needs and to protect human interests, to secure realization of the human freedom, which has been always inherent in the human person.

The aforesaid considerations explain the relevance of legal (subjective) rights, which being initially the subject of study by civil law scholars, gradually became a universal category making the foundation for the whole of the modern legal consciousness. It is logical that experts in constitutional law actively discuss the nature of basic human and civil rights and freedoms as a special category of subjective rights. Administrative law scholars, as well as experts in the field of criminal law, regularly address the problem of legal (subjective) rights. Scholars specializing in the theory of law have approached closely to creation of the general doctrine of legal (subjective) rights to be a conceptual basis for sectoral research.

The faculty of law of the Russian Presidential Academy of National Economy and Public Administration actively participates in studying the problem of legal (subjective) rights. In April this year, the faculty held the first Baskin's Readings, a scientific and practical conference dedicated to fundamental and applied aspects of legal (subjective) rights in private and public law. The conference, the results whereof were covered in the previous issue of the journal, was participated by professors, postgraduates and graduate students of the North-Western Institute of Management, other universities of St. Petersburg, and by legal practitioners. It appears that such a high interest is indicative of the enduring relevance of the subjective rights category in its multiple manifestations.

The issues addressed in the discussions unfolded during the conference "Baskin's Readings" were raised again in the second issue of the journal "Theoretical and Applied Law". I am proud to note a wider thematical range of the articles in this issue, and inter alia, a wider geographical coverage upgraded to international level. The opening article of this issue is written by Paul B. Stephan who dedicated his work to the lessons learned from Russia in international legal protection of human rights and freedoms. Articles by I. L. Chestnov and by D. I. Lukovskaya deal with philosophical and legal aspects of subjective rights doctrine, presented within the scope of the dialogue of traditional and innovative ideas. Issues of implementation of subjective rights in the fields of private and public law (in works by V. B. Spitsnadel, T. S. Krasnova, D. A. Zhestovskaya, L. V. Shvarts), as well as in international law (E. T. Mayboroda) were also given a full coverage.

Having attached a substantial attention to dogmatic developments in the field of subjective rights, the authors of the articles seek to deal with this category in the broad social and psychological context. In this regard, the discussion paper by V. S. Bredneva is worth noting, as it is dedicated to the causes of deformation of the professional consciousness of legal profession, and hopefully this work will become a suitable occasion for constructive discussion in the next issues. We will continue publishing works of legal practitioners, and the good beginning was the review article by S. A. Bikmetova in this issue.

I wish it would become a good tradition for the journal to publish new works by foreign and Russian scholars and practitioners who represent multiple approaches to resolution of the most relevant problems of today in modern law science.

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