

Foreword of the Editor-in-Chief

This is the next, already the third issue of The Theoretical and Applied Law Journal coming out. The topics of the articles published in this issue are timed to coincide with the conference of The Constitution of Russia: Yesterday, Today, Tomorrow held in December last year, organized jointly by the Law Faculty of the North-West Institute of Management of the Russian Academy of National Economy and Public Administration under the President of the RF, the Boris Yeltsin Presidential Center Foundation, the Commissioner for Human Rights in St. Petersburg and the B. N. Yeltsin Presidential Library.

The conference participants discussed a wide range of issues of particular relevance to the contemporary Russian legal order, including the prospects for the development of federal relations in the Russian Federation, the state of human and civil rights and freedoms, as well as local self-government institutions in Russia and in the world. The comprehensive reports of some participants formed the basis for the articles prepared by them which are of scientific relevance and practical significance. Particularly close attention of the authors of the issue was drawn to various aspects of the democratic political regime, considered both in the legal and in the broader socio-political context.

The article by Revekka Mikhailovna Vulfovich, Professor at the North-West Institute of Management, discusses the phenomenon of the so-called “varied democracy” and draws some conclusions about the possibilities of implementing this form of democracy in the Russian conditions. Of undoubted interest is the work of Professor of the Higher School of Economics Andrey Nikolaevich Medushevsky dedicated to the globalization dimension of constitutional democracy. Considering the causes of erosion and the prospects for the transformation of democratic institutions, A. N. Medushevsky comes to the conclusion about their viability subject to the consistent implementation of discursive procedures and conceptual models designed to ensure the formation of mechanisms of deliberative democracy that best meets the needs of the post-industrial society.

The topical problems of protection of human rights and freedoms have been comprehensively analyzed by Associate Professor of the Russian Academy of National Economy and Public Administration Victoria Viktorovna Filatova, who considers the impact of the decisions of the European Court of Human Rights on the implementation of the constitutional guarantees of fundamental rights. The role of the ECHR in ensuring human rights and freedoms at the international and national levels is beyond doubt. A number of decisions of the recent years open up new prospects in the development of the constitutional status of an individual, creating the preconditions for the recognition of the rights and freedoms of the so-called “fourth generation” (in particular, the right to be forgotten). And although the Russian legal system is currently experiencing serious difficulties in creating effective guarantees of even basic, personal, political, socio-economic rights, it should be hoped that in the future the positive international experience will be recognized in our country as well.

The Theoretical and Applied Law Journal continues publishing the works of foreign colleagues. This issue will include an article by Patrick Terry, Dean of the Faculty of Law of the University of Kehl (Germany), dedicated to the problem of the independence of judges in the countries of the European Union. It is hoped that the readers’ interest will be aroused by the review of the materials of the conference of The Constitution of Russia: Yesterday, Today, Tomorrow to be published by us in the second issue of 2020.

The journal will continue informing its readers in detail about noteworthy scientific events held in St. Petersburg. In particular, we expect to devote one of the next issues to the publication of articles by the participants of the Second Interuniversity Scientific and Practical Conference “Baskin Readings “Changes in Law: Innovation and Continuity””, scheduled by the Law Faculty of the North-West Institute of the Russian Presidential Academy of National Economy and Public Administration for October this year. These publications are expected to give an impetus to scientific research and also to contribute to the expansion of the geography of interuniversity cooperation, which ultimately will help the integration of the scientific legal community.

Editor-in-Chief
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