

## Opening Remarks by the Editor-in-Chief

The current issue of The Theoretical and Applied Law Journal was formed in the complicated conditions of the COVID-19 coronavirus infection pandemic which had a complex adverse effect on various spheres of private and public life of citizens, significantly bringing down the level of the publication activity that was most directly stimulated by our journal. To prevent the threat to life and health of people created by the pandemic, a number of previously announced events were canceled. For example, originally scheduled for April 2020, the Second Interuniversity Scientific and Practical Baskin's Readings Conference "Changes in Law: Innovation and Continuity", to the organization of which our friends and colleagues, including members of the editorial board of the journal, made a truly invaluable contribution, was postponed to October. Let us hope, however, that this circumstance will not in the least affect the relevance and substantive value of the issues planned for discussion at the conference.

In the pandemic situation we had to face another serious problem that affected the productivity of creative work, namely, the delayed publication of new issues of traditional "paper journals", resulting from the remote work of scientific institutions and higher educational institutions, under the auspices of which these journals are published. The need to provide the need for prompt and high-quality publications once again confirms the advantages of online journals coming out in an online format, makes them an indispensable tool for research communication at the present stage. In general, the events taking place in the world and in our country have become a chance to draw the attention of the international community of scientists to the importance of modern technologies in sharing the experience and the results achieved.

This refers, in particular, to holding conferences, scientific seminars and other events in a remote format. It can be argued without exaggeration that the North-West Institute of Management is committed to the widest introduction of digital technologies in research work. We believe that readers will be interested in the review of the online conference "Legal Tech: Ensuring the Rights and Legitimate Interests of Citizens in the Digital Environment" prepared by Editor-in-Chief of the journal I. K. Shmarko which was organized on the Zoom platform by the North-West Institute of Management and the Statutory Court of St. Petersburg. This conference dedicated to the urgent problem of digitalization of legal systems and the use of electronic means in various spheres of legal regulation became a unique event in itself, since, as far as we know, no events of this kind with the participation of first-class specialists (theorists and practical experts) have been held so far.

There is no doubt that the experience of overcoming the consequences of the coronavirus infection pandemic will become a powerful impetus for a serious innovative movement in practice. The possibilities of digitizing the institutions of private and public law are already being discussed. The ideas of electronic democracy, digital government, cryptocurrencies and a universal database (Big data) that have become well-known to lawyers are being supplemented with new topics evidencing, according to the fair remark of Chairman of the Constitutional Court of the Russian Federation V. D. Zorkin, that the use of high technologies includes increasingly wide spheres of public life. Against this background, one should not, however, disregard the traditional priorities and highest values of law, namely of a person, his freedom being developed in constitutional rights and individual freedoms.

The publications of the authors of the journal are devoted to these well-established, but invariably important issues. In light of the above, of special interest is the article by K. Nuotio "Human Rights and Fundamental Freedoms as Exemplified by the Constitution of Finland". Considering the problem of constitutional rights and freedoms in a broad historical retrospective, the author sheds light on the formation and development of this institution: from the subjective rights developing within the framework of specific legal relations to their normative consolidation in the provisions of the Basic Law. On the basis of the findings, K. Nuotio draws a fundamental distinction between human rights and freedoms, on the one hand, and fundamental rights, on the other hand, which is of significant value for the domestic constitutional doctrine which does not clearly emphasize this distinction.

The postnonclassical legal consciousness which correlates with the contemporary epistemological trends is developed by the papers by V. A. Slyshchenkov "Concept of Freedom: History and Modern Times" and O. A. Halabudenko "Norms of Law in the Focus of the Theory of Constructivism". Methodological constructivism (or radical constructivism as its strong version) is known to be the dominant attitude both in social and humanitarian cognition and in mathematics and mathematical logic, where it was established owing to the now classical works of L. Brouwer and P. Martin-Löf. In recent years, the

constructivist turn has also impacted the legal sciences, opening both new horizons for their development and creating serious challenges to the principle of objectivity of scientific truth. The conviction in the total constructedness of legal phenomena, in our opinion, is fraught with the loss of the subject of legal science and blurring of the boundaries that separate jurisprudence from ideology, if not social myth-making. In such a situation the natural way out is to recognize the invariability of the ontological foundations of law, the major one among them being the category of freedom serving as the conceptual basis and essential characteristic of law. This conclusion receives its theoretical substantiation in the liberal-conservative views developed by the best representatives of Russian and European legal thought both in the past and today.

Various aspects of modern constitutionalism, as well as constitutional rights and freedoms of man and citizen, are considered in the articles by M. A. Kashina and A. A. Pyakhkel "Ensuring the Implementation of the Principle of Gender Equality de jure and de facto: Experience of the Countries of the European Union" and S. L. Sergevnin "Brief History of the Constitutional and Judicial Assessment of the Problems of Federalism in Russia". It should be noted that the last work of the journal continues the publication of the materials of the Third Conference "The Constitution of Russia Yesterday, Today, Tomorrow", the end of the review published in this issue, as promised. In general, given the variety of the topics, the content of the regular issue of The Theoretical and Applied Law Journal confirms the main idea that being a fundamental legal category, freedom remains invariably significant for serious researchers, and its study requires joint efforts of representatives of all legal disciplines.

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