

## **The Concept of National Interests in the Modern Theory of State and Law**

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### **Abstract:**

The article raises the issues of developing a general legal theory of national interests in order to achieve a multi-level balance and reliable protection of individual, group, public and state interests and their effective implementation. The totality of these interests constitutes a system of national interests, and it is responsible for the sustainable, stable development of society and the state, which makes it possible to solve the national interests of future generations of Russians in the process of legal development of the state. In this direction, an attempt has been made on the platform of the general theory of law to consider the nature, genesis, essence, content, specific configuration of national interests, as well as to study the systemic and structural characteristics of the mechanism for ensuring their implementation and directions for increasing its effectiveness.

National interest reflects the actual human need of the people for existence, self-preservation, development and prosperity. It applies to all spheres of the life process of the nation: the national economy, social environment, military policy, culture, educational system, scientific sphere, spirituality, religiosity, morality, etc. Due to the fact that the national interest as a whole reflects the interests of specific citizens, it is real factor, it is dynamic, not stationary and acutely senses the conditions and circumstances, in one way or another affecting the implementation of national goals. At the same time, the existence of national interest as a feature of a national society is possible as long as this society exists.

The author carried out a systematic and comprehensive theoretical and legal study of the nature, essence, content, types of national interests, based on the dialectical unity and interconnection of all aspects of this legal phenomenon. The author, on the basis of the conducted research, draws conclusions that the comprehension of the nature and essence of national interests is largely facilitated by the rules of the formal logic of interrelated concepts: interests - needs - national interests. Interests are always conditioned by needs that can be satisfied through a certain activity, and they induce a person to look for appropriate means for this. At the same time, interests and needs are not identical, since interests are a more voluminous concept; social type and features of interest have their origins in its nature and essence. The development and formation of an understanding of national interests occurs consistently, over a long time and under the conditions of historically established factors in the economic, social, cultural, political and national spheres; for this reason, national interests have a strong connection with the carriers of these factors - the people and their history.

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## 1. Introduction

The relevance of the research topic is due to both the theoretical and practical significance of the entire complex of issues regarding the formation of a set of national interests, as well as those related to ensuring their implementation in the conditions of modern Russian statehood, that is, the theory of national interests.

The national interests of the Russian Federation are defined as objectively significant needs of the individual, society and the state in ensuring their security and sustainable development, which determines a complex multi-level systemic nature and indicates the target component of this scientific phenomenon.

Russia is one of the largest states in the world with a developed economy and a multinational population, which, of course, leaves its mark on the essence, content and necessity of protecting and protecting national interests. At the same time, the process of successful realization of national interests is seriously influenced by the problem of their legal support; national interests are becoming important areas of state legal policy. These circumstances, along with others, form the basis for the formation, determination of promising directions for the realization of national interests, including through the implementation of priority national projects.

Of course, national interests have a direct impact on the formulation of tasks for ensuring national security; they are interconnected and interdependent; national interests are included in the content of national security.

## 2. Statement of the Problem

The theory of national interests, including the mechanism for ensuring their implementation, is based on numerous philosophical, legal, general theoretical and industry studies.

It should also be noted that some aspects of national interests have recently become an object of consideration at the level of dissertation research. Among them: T.A. Ashurbekov - "Legal and organizational foundations of the activities of the prosecutor's office to ensure the national state interests of the Russian Federation" (Moscow, 2003); V.A. Kolokoltsev - "Ensuring Russia's state interests in the context of the concept of national security" (St. Petersburg, 2005); I. D. Borisova - "Legal support of the national state interests of Soviet Russia and the USSR in the Central Asian and Caucasian regions in 1917-1929." (Vladimir, 2006); S.V. Studenikina - "National interests in the legal policy of Russia" (Rostov-on-Don, 2009); N.N. Kunyaev -"

At the same time, despite the elaboration of certain aspects of ensuring national, mainly state, interests, the variety of scientific studies devoted to national security, the problem of understanding the nature, essence and content, role and significance, as well as the mechanism for ensuring the implementation of the national interests of modern Russia in

its general legal perspective is still practically unexplored, which predetermined the goals, objectives and methodology of this dissertation research.

### **3. Research Question**

At the present stage of development of legal science, there is a lack of a systematic and comprehensive general theoretical study of the nature, essence and content of national interests, as well as a mechanism for ensuring their implementation, which cannot but affect negatively the positive development of our society and state, including ensuring the implementation of national interests. The theory of national interests has not yet been created, despite the need for science and practice.

The object of the research is the complex of social relations arising in the field of formation and implementation of national interests through the appropriate legal mechanism.

The subject of the research is: legal norms, legal patterns, etc. - the legal basis for the formation and implementation of national interests, as well as scientific approaches, legal categories and concepts of the theory of national interests, official documents (strategies, concepts, agreements, programs, projects, etc.) and law enforcement, including judicial, practice.

### **4. Purpose of the Study**

The purpose of the study is to systematically and comprehensively study the theory of national interests, which includes questions of the nature, essence and content of national interests, the legal mechanism for ensuring their implementation, as well as identifying problems and directions for improving and increasing the effectiveness of this mechanism; making proposals and recommendations to improve the efficiency of this mechanism.

To achieve this goal, a set of tasks was solved: the nature and genesis of the concept of "national interests" were studied; considered the current state and features of the organizational and legal support of national interests in Russia; analyzed scientific approaches to the concept of national interests; disclosed the essence and content of national interests and presented their classification.

### **5. Research Technique**

The methodological basis of the research, first of all, was formed by the dialectical method of cognition as a universal and universal basis for the formation of the most abstract conclusions in the study of concepts and trends of transformations in a particular area. General scientific methods also played a significant role in the research: the method of logical analysis and synthesis, induction and deduction, the method of abstraction and ascent from the abstract to the concrete.

The work also uses methods traditional for legal science: formal-logical, system-structural, modeling, specific sociological research, formal legal, textual, statistical, analytical. The basis of the present study was composed of both classical developments and available modern research in such scientific fields as philosophy, sociology, political science, general theory of state and law.

## 6. Obtained Data

The area of national interests and the mechanisms of their legal implementation refers and will always refer to the category of the most important areas, both scientific thought and judicial practice, and lawmaking, regardless of the existing state system, political structure and ideology. However, the understanding of the essence, goals and ideas about the creation of a system of interests, as well as the methodological foundations of their determination, may differ, which is especially evident in the course of organizing the theoretical material of a given subject area, which includes two key levels. We are talking about speculative (scientific) and political and legal (practical) levels. These two levels have a close connection with each other and predetermine each other, despite the fact that they are in a state of some kind of autonomy.

The most a priori doctrine is the theory of national interest, refracted in the concept of structural functionalism. In the context of such a combination, it is meant that the functionalist explanation of the system of national interests dictates a constant point of correlation, in other words, of that unchanging one, from which the functioning of the law proceeds, focused on coordinating the process of implementing actively developing legitimate interests. The reflections of AA Malinovsky [1, p.25] on this issue, who find this autonomous point of correlation in the basic natural needs of any individual, are important. According to the researcher, the functional analysis that has become a tradition must be supplemented with an officially approved (institutional) analysis designed to isolate the units of a human organization, which satisfy needs and ensure the implementation of interests. A.R. Radcliffe-Brown believes that the most important is the public interest, and the purpose of any phenomena in its maintenance is a function [2, p.144]. This leads to the structural-functional theory, which in this case is a separate initial conceptual scheme. If we follow this theory, the functions performed by institutions serve as a unifying factor for culture and form a common space for the fulfillment of interests, in which anyone can define and find personal interests for themselves. It is known that interests are contrasting or competing with each other. In view of this, D.A. Afinogenov proposed the idea of enriching jurisprudence with a new provision, "social equilibrium", implying a balance between the interests of groups in society and the social contradictions caused by them. The legal solution of this kind of conflict situations guarantees stability, functionality and constant development of the social structure, which will eventually become the foundation of order in the ordinary life of society [3, p.18]. From the point of view of structural functionalism, social life is an unlimited abundance of rhizomorphic connections between people, conditioned by a common view on the implementation of interests or attempts to such implementation. There is an opinion that the paradigmatic analysis cannot be limited to identifying the external structure of the system and the peculiarities of the functioning of the subject of the implementation of interests permissible by law, which is performed in it. He needs to search for constant components in the system itself, which will designate the main contours of the structure of changing aggregate interests in an environment of multiple social relations concerning their implementation and protection.



Consequently, the system of national interests is the same as the social system in motion. Structures of interests, their fixation and preservation are not associated with specific people, but represent the positions of people's participation in the structure. A person is in some way involved in an already existing system in which he has the opportunity to choose a maneuver based on the function of the structural component. A function represents those actions that are performed by structural components. Thus, the division of the system into structures and functions has a somewhat conditional character, since what from some considerations plays the role of a structure, from others is a function, and vice versa. The entire complex system, consisting of multiple structures and functions, within the state is a system of national interests.

According to the following doctrine, the source of national interests is the determinant of their varieties. Based on this, interests are divided into material and non-material (spiritual and moral). In the course of researching how the system of interests of a certain society developed in a historical retrospective, V.A. Bushuev made the following conclusion: "The activity of people, the will of individuals and social groups, the mechanisms of transforming their true interests into arguments that induce action, as they themselves see them, are revealed. However, these arguments are not always the spokesmen for their class and other material interests. They, in essence, act as derivatives of those ideal paradigms, which are already perceived by a person as their own, as a result of the influence of culture, religion, certain traditions." [4, p.180] Consequently,

Next to consideration, we present a set of concepts that includes two contrasting doctrines. The studied models of national interests are associated with the correlation of the peculiarities of the activities of the highest power and legal instruments for fixing and pursuing interests. Adhering to a politico-legal unwritten law, the origins of which date back to the period of existence of the Ancient World and Antiquity, a large number of scientists regard the system of interests of society as a result of the reflection of the will of the highest power, with the help of legislation - a binding imperative for everyone. This is due to the fact that top management is a direct determinant of policy, in accordance with which the justice system is being modified. Finding legitimacy, the needs of society find themselves in the legal environment and become tied to a functioning legal mechanism for fulfilling and protecting needs with the help of the institution of individual rights and obligations. The correlation of power and national interests confirms the existence of two key paradigms of interaction between the institution of higher management and the system of national interests.

One of them is associated with the integration of authorities with a coordinating fusion of interests in the form of common, collective, social. The supreme power unites the activities of the three branches of government (legislative, executive and judicial) and focuses their work on ensuring national interests and goals. In this concept, the rights of the collective and society are considered preferential. Despite the fact that the desire to unite the authorities was expressed by many Western European researchers (Plato, K. Marx, T. Campanella, etc.), in its traditional performance it could only be embodied in the Russian autocratic form of government, but underwent a transformation during the reign of Peter, who gravitated to the western way of life. Russian specialist in the field of state studies, N.A. Zakharov, had his own point of view on this matter. He thought, that the institution of supreme power serves as the supreme unifier, the guarantor of ensuring the consistency of the activities of the official government with the interests of society, and also performs the function of "direct manifestation of one's own will, fixed, in general, in fundamental laws and not constrained by

restrictions in this area of application” [6, p.200], in the process of providing a person with his own justified needs. In an exaggerated form, this system was realized in the policy of the Soviet Union, based on communist ideology and the concept of Marxism. In that system, the interest of an individual citizen, allegedly possessing legal personality, was not taken into account, and his own interests could only be realized if they coincided with collective interests. the guarantor of ensuring the consistency of the activities of the official government with the interests of society, and also performs the function of "direct manifestation of one's own will, fixed, in general, in fundamental laws and not constrained by restrictions in this area of application" [6, p. 200], in the process of ensuring a person of his own justified needs. In an exaggerated form, this system was realized in the policy of the Soviet Union, based on communist ideology and the concept of Marxism. In that system, the interest of an individual citizen, allegedly possessing legal personality, was not taken into account, and his own interests could only be realized if they coincided with collective interests. the guarantor of ensuring the consistency of the activities of the official government with the interests of society, and also performs the function of "direct manifestation of one's own will, fixed, in general, in fundamental laws and not constrained by restrictions in this area of application" [6, p. 200], in the process of ensuring a person of his own justified needs. In an exaggerated form, this system was realized in the policy of the Soviet Union, based on communist ideology and the concept of Marxism. In that system, the interest of an individual citizen, allegedly possessing legal personality, was not taken into account, and his own interests could only be realized if they coincided with collective interests. in fundamental laws and not constrained by restrictions in this area of application” [6, p.200], in the process of providing a person with his own justified needs. In an exaggerated form, this system was realized in the policy of the Soviet Union, based on communist ideology and the concept of Marxism. In that system, the interest of an individual citizen, allegedly possessing legal personality, was not taken into account, and his own interests could only be realized if they coincided with collective interests. in fundamental laws and not constrained by restrictions in this area of application” [6, p.200], in the process of providing a person with his own justified needs. In an exaggerated form, this system was realized in the policy of the Soviet Union, based on communist ideology and the concept of Marxism. In that system, the interest of an individual citizen, allegedly possessing legal personality, was not taken into account, and his own interests could only be realized if they coincided with collective interests.

Next, we will consider a concept that is the opposite of the previous doctrine. It is based on the principle of differentiation of power. Aristotle was the first to speak about the need to share power [7, p.109]. This idea was supported and developed by many Western European researchers and scientists. Among the most notable versions of the idea was the explanation of the concept made by Sh.L. Montesquieu [8, p.273], which found its embodiment in a number of constitutions of the modern world. For example, this version was fixed in the currently functioning Basic Law of Russia and represents one of the key foundations of the constitutional system. According to this concept, the system of interests is the total number of individual, integral, self-valuable and protected by law interests. However, the current Russian scientific thought is inclined to the idea of uniting into a single whole, the interests of the state, society and individual interests. The starting point of such a union can be called the national security of the country, which consists in “the state of protection of its multinational people, who are the bearers of sovereignty and the only source of power in the state, against threats emanating from the outside and existing inside the state, causing damage in the physiological, material, moral, ecological, informational or a political

aspect, achieved by political, legal, social, economic and other forces and means aimed at protecting and improving the material and moral values of society, the integrity of territories and independence, life and improving the constitutional system of a legal country, as well as minimizing the risk of such damage to a minimum "[9, p.120].

In the light of the material highlighted above, one can cite the opinion of some thinkers (A. Fursov, H. David, etc.) about the ongoing "erosion" of the national state and national law, which, in turn, leads to the "erosion" of the structure of national interests. This tendency is caused by the desire to move to a fundamentally different state of the structure of interests in the countries that defend liberalism. For European states, it is quite organic, since they, in fact, are on the way to a transition to a state of homogeneity, which is one of the plans for the formation of the European Union. The same processes taking place on the territory of our country have acquired a different form in relation to national interests. They consist, in particular, in the fact that the functionaries of the Russian state, referring to national interests, pay attention to the interests of transnational corporations with the prevalence of the latter in all areas of the country's life, including in the formation of legal policy and revision of laws. This process is very dangerous in that the interests of the nation are replaced by the interests of transnational corporations, moreover, the latter are interpreted as "national". At the same time, their focus is on obtaining super-profits, which means meeting the material needs of narrow groups of people, the so-called clans of oligarchs. So, the point of view of A.V. Zinoviev, who believes that "Russia can become an oligarchic state, since it is already an incubator in which oligarchs are raised who have begun to intensively master the internal structure of power" [10, p.30]. Now this process is restrained only by the will of the top leadership of the state, which, in general, should, through political and legal instruments and mechanisms, bring the interests of the oligarchs in line with the needs of the nation. Apparently "We need a business elite that has managed to match its own interests, the interests of its business with the interests of the state and set its own tasks for the country's leadership, similar to what happens in the Western world. For example, in the USA there is a readiness to defend the interests of their own business groups by all known methods" [1, p.119].

Now there is still no full awareness of the need for the unity of interests of the nation, business and government. We can only observe attempts by the authorities to intimidate business, but not at all instill in it a sense of duty to the people and the country. It cannot be said that a tough confrontation between two camps is taking place: the state and the oligarchy. Rather, the authorities armed themselves with powerful weapons, which can be used on occasion. True, once, but very effective. Only a hint of such a scenario could attract the attention of the oligarchs.

We believe that in the near future it will become possible, in addition to the speculative, also practical meaningful combination of the interests of the state, collectives and each of the citizens, which is an optimal scheme for creating a system of interests of the nation in the modern conditions of the development of Russian statehood. In this context, the opinion of S.D. Shakhovskiy: "In general, the basis for ensuring the state of like-mindedness of the state and other public structures is a compromise. In other words, we are talking about the ability of all parties to a social contract to compromise a certain number and quality of their own interests in order to achieve general well-being, which implies economic development, an increase in the material wealth of all citizens, a fair distribution of resources in society, public participation, a favorable moral climate, cultural development, spiritual growth, protection of the values inherent in democracy and humanism, the establishment of

rights and freedoms ”[12, p.44]. However, it must be remembered that “the statement about the priority of individual rights over all other constitutional values should not be taken absolutely, making this thesis absurd,” says O.V. Martyshkin. [13, p.34] Apparently, “the solution of the issue of combining values should be approached substantively, trying to achieve the consistency of the interests of society, power and corporations,” adds O.N. Petyukov [14, p.26]. says in turn O.V. Martyshkin. [13, p.34] Apparently, “the solution of the issue of combining values should be approached substantively, trying to achieve the consistency of the interests of society, power and corporations,” adds O.N. Petyukov [14, p.26]. says in turn O.V. Martyshkin. [13, p.34] Apparently, “the solution of the issue of combining values should be approached substantively, trying to achieve the consistency of the interests of society, power and corporations,” adds O.N. Petyukov [14, p.26].

However, the importance of achieving the priority position of family interests in the emerging system of national interests should be especially emphasized, which can be achieved through the efforts of all institutions: state, municipal and public. It is in the family that the foundation is laid for the initial education of Russians. Therefore, it is at this stage that a person is inspired by the most noble feeling - love for the Motherland, and also learns to work, order, respect for the dignity and interests of other people, etc. in Russia and in many other countries, which is really timely in the current environment of significant and structural contradictions, arising as a result of the emerging crisis state of the world economy. An appeal to the experience of the development of our country and even those states that are liberal in the past ten years becomes evidence of the need to strengthen the social significance of the state and the fallacy of the concept of its decrease in the management of social and economic relations.

The next on the agenda is a conceptual complex, which consists in the study of interests related to the internal life of the state and geopolitics. Intra-national and geopolitical interests, like interests in other complexes, have a close connection with each other. In order for the system of development of society and the state to be sustainable, it is necessary to realize its potential in the economy, culture, social policy, strategy and geopolitics. However, this can be done only on condition of strengthening one's positions in the interconnected system of states in the world and parity partnership in world processes. Our country needs the support of the rest of the participants in international relations, which should be formed on a diplomatic, contractual, multilateral and mutual friendly and partner basis. And, first of all, Russia needs the support of border countries.

Today, the doctrine of the correlation of domestic and geopolitical interests is considered one of the most researched and controversial concepts. This focus on doctrine is due to the position of primary energy resources in the global economy. Our century was marked by the emergence of confrontation on the basis of the ability to regulate the flow of energy resources. In this regard, trying to stay within the framework of its own domestic interests in the energy sector, Russia initiated the consolidation in international law of a legislative act defining the principle of energy diplomacy within the Eurasian space. "Fundamentals of Energy Policy of the EurAsEC Member States" [15, p.30] is an international document adopted by the Interstate Council of the Eurasian Economic Community, is the legal basis for the protection and implementation of the national interests of our country in the field of energy. The leading idea of this legal act is the assertion that the energy policy of Russia should be based on the reasonable use of energy resources, the creation of a joint complementary fuel and energy complex for all EurAsEC member states,



the enhancement of the efficiency of the energy systems, the improvement of the transit potential of the Community countries and the formation of a suitable environment. to increase the number of supplies of energy resources between states.

The main principles of the energy policy of the Member States of the Community include:

- 1) Mutual respect for sovereignty and national interests;
- 2) Comprehensive and multifaceted assistance and mutual assistance in solving problems related to the creation of a joint complementary fuel and energy complex;
- 3) General responsibility for the implementation of measures to ensure national interests in the energy sector in relation to the interests of the energy security of the Member States of the Community;
- 4) Acceptance of preference for general decisions regarding energy security. The importance of establishing the economic features of the functioning of the EurAsEC is defined as secondary after security in the energy sector.

These legal constructs are intended to overcome the legal energy foreign policy pursued by Western European and Western American countries, characterized by inconsistency, contradiction and ambivalence. The national legal policy of Western states is focused on stabilizing energy supplies, its own energy efficiency, environmental friendliness of local importance, and ensuring the stability of energy markets. Proceeding from this, the Russian state is striving to achieve the West's awareness of the need to build relationships on a compromise basis with a mutual opportunity to implement national interests.

It should be emphasized that also within the framework of external relations, the West does not stop introducing double standards into the legal field. The first legal space concerns economically developed countries and commonwealths (European Union, USA, Canada, Japan) and their satellites (Australia, Israel, New Zealand, etc.) with the establishment of a special preferential regime for energy markets. The second legal field is addressed to resource colonies, developing countries and geopolitical competitors (Russia, China, Iran and India). Whatever the serious predominance of foreign funds in the energy sector, it is very quickly offset by changes in the legal policy of Western countries in the energy sector. [16, p.100]

At the same time, the following is currently practiced in the world: the previously functional principle of sovereignty and the national legal field cease to be effective in relation to the independent institutionalization of national interests and its protection from the influence of the international community. Along with this, national interests become dependent on concepts established by other countries. An updated, more extensively verbalized and more deeply thought-out definition of national interests in the context of global transformation, I believe, will be an incentive for countries to strive for more reliable unity in the struggle for such key values as democracy, diversity of opinion, individual rights and the rule of law. ... The era of globalism dictates the need for comprehensive interaction. In the reality,

Such a concept can become effective on the territory of the post-Soviet space, provided that the main role is played by the Russian state.

The announced concept, as it were, implies a Eurocentric type of globalization, designed to replace the system of international relations created on the basis of the Peace of Westphalia and create a structure of international organizations and communities, endowed with the powers of world sovereignty. Thus, all the rights that independent (sovereign) countries have, in one way or another, will be leveled after entering the global community of

countries. At the same time, international institutions will deal with the adoption of decisions important for all states and the determination of joint (collective) interests. Intensive globalization processes are aimed at eliminating the self-determination of the structure of national interests. Renewal of the sovereign mentality, total zeal for the integrity and prosperity of the nation state is inconceivable without a focus on fostering patriotic consciousness among the entire people of Russia and the public and political establishment. At the moment, due to the economic crisis in the world, there is a decrease in the onslaught of globalization processes. Now we need to strengthen the position of the state and create a system of national interests corresponding to the realities. For this reason, the government structure, local self-government bodies, scientific and educational institutions are obliged to form an integral space of strategic tasks for the implementation of national interests by achieving a state of sustainable social development of the country with the simultaneous formation of the patriotic consciousness of the people of Russia, the formation of the basis of moral and ethical unanimity of society as a significant aspect of the implementation of domestic interests. These processes must be formalized in a set of legal, organizational and ethical directives that preserve the national interests of the country. [18, p.140]

The state of the country's domestic interests at this time is threatened by many different factors. For example, now the attention from scientific thought to the issues of shadow political and legal interaction (shadow justice, which is a functional replacement of the present structure of justice, law enforcement agencies; functional alternatives, which are contrary to legal norms forms of political influence, defending the interests of corporations, etc.), is becoming tangible. , in essence, an alternative replacement for functioning legal systems and relations, a more effective option for realizing the interests of society. We propose to consider the competence of the Public Chamber of the Russian Federation. This is a newly created institution of civil society in the political and legal field of our country, called to guarantee, among other things, effective counteraction to criminal actions of the authorities and abuse of powers of officials of federal executive bodies and municipalities. In Russia, over the past ten years, the activity of a system of representative, in other words, elected by the people, authorities has become widespread, in which citizens are involved as voters in order to solve important problems for the state, lawmaking. Such an institution of public power based on popular representation is the Public Chamber, whose main task is to strengthen the relationship between civil society and government through representative organizations and to exercise control over their activities [19, p.158]. The function of this association is to ensure the coordination of socially important interests of citizens, the public,

According to S.M. Mironov, “the very foundation of the Public Chamber testifies to the formation of a new and very significant element in the system of social control over government structures and officials. Public organizations and experts, together with the country's leadership, will consider problems and find a way out in the current difficult situations for the country. Therefore, a responsible approach to solving the tasks set before the country and effective control by society acquire real features in the activities of power structures” [20, p.99].

The Public Chamber is a true mechanism of partnership between society and the authorities, focused on overcoming the detachment of the masses from the affairs of the state, strengthening mutual trust, laying the foundation for harmony and dialogue between people and politicians. It is the activities of the Public Chamber and similar public associations of the regional level created on its model that can really influence both law enforcement and

legislative structures, form the content of the adopted laws.

Nothing else but the activity of the Public Chamber can become that example of open dialogue, which D. Matthews described: "It is the dialogue that contributes to the return of the people to the political sphere." In his opinion, one of the factors of the disintegration of the personality of citizens in powers with a democratic form of government is the lack of interconnection between the authorities and the public, the establishment and voters: "Public dialogue is a natural condition for political activity based on the principles of democracy. Currently, this condition is not observed, which is very clearly felt by people. It is worth noting that they have a great desire to mend the lost public dialogue. But intensive involvement in it is prevented by the lack of feedback, the conviction that their opinion will be taken into account "[21, p.139]. Apparently in our country, the Public Chamber is so far the only example of the entry of civil society into dialogue with the authorities and its promising paradigm. HELL. Kerimov noted that: "The main thing is not to miss the historical opportunity that the existing conditions for the development of the state give, reflecting the desire of the authorities and society for a joint dialogue, the awareness of the need to establish mutual trust and interaction in the process of re-creating Great Russia, its civilized development" [22, p.58 ].

A consequence of the concept of domestic political interests is a doctrine that interprets national interests through the prism of sectoral characteristics - as components of the legal system. Of course, the main branch can be called the constitutional law, which determines the characteristics and methods of pursuing national interests and, in fact, the interests themselves by defining the cognitive features of subjective rights and obligations. This is undoubtedly facilitated by the fact that constitutional law is the basis of both material and procedural law, just like social and personal rights.

Next, we will touch on the electoral law, which is a complex of the same type of legal provisions that streamline the process of granting and performing electoral rights, the electoral process, including the counting of votes, as well as safeguarding national interests in the context of the reality of expressing the opinion of the people, which has an impact on the structuring of central government bodies. Now the electoral right is already a system that includes the Federal Law "On the Basic Guarantees of Electoral Rights and the Right to Participate in the Referendum of Citizens of the Russian Federation", the Federal Law "On the Elections of the President of the Russian Federation", the Federal Law "On the Election of Deputies of the State Duma of the Federal Assembly of the Russian Federation" and other legislative documents. However, there are many controversial issues in this area, since the suffrage itself is a field for the clash of diverse interests. Here the interests of certain groups of individuals, public, individual and national interests collide. The need for such legal relations will exist as long as the institutions of the supreme state power are formed through the prism of democratic postulates. We can talk about the objectivity of "the impracticability of the official comprehensive regulation of all sides of election campaigns, foreseeing all the issues and problems that may arise from the organizers of the electoral process, election headquarters of candidates for deputies and voters" [23, p.172]. Therefore, it is important to remember this and do everything possible to make the electoral process as open and regulated as possible. while the institutions of the supreme state power will be formed through the prism of democratic postulates. We can talk about the objectivity of "the impracticability of the official comprehensive regulation of all sides of election campaigns, foreseeing all the issues and problems that may arise from the organizers of the electoral process, election

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An electoral system is a field where different interests are aligned. Domestic elections in modern conditions differ from a similar phenomenon carried out on the territory of developed countries in that they do not have a legal basis and methods for coordinating various interests. This is a social community formed for the participation of citizens of the Russian Federation in the internal political process through the formation and expression of their political will, participation in social and political events, in the electoral process and referendums, as well as to represent the interests of the population in the supreme authorities and local administrations.

The duty of the state, recognizing the diversity of ideologies, is to determine its own priorities through persistent comparison of existing points of view and self-enrichment with ideological preferences based on the following ethical principles and moral principles: dignity, generosity, conscientiousness, solidity, decency, philanthropy, incorruptibility, sincerity. State-backed ideologies are designed to educate in every citizen the ability to limit their needs in favor of the public interest. This will provide a real and intense opposition from society to concepts that promote a misanthropic, immoral and threatening course of action that is in conflict with generally recognized civilized norms.

The studied area of national interests has a direct connection with administration, which implies mandatory compliance with both regulatory and legal requirements and, at best, instructions (proposals) of government agencies. This is the administrative branch of law on which public order is based. The position of M.D. Zagryatskov, who believes that "state administration without the support of its own initiative and the self-interest of citizens will not be able to recognize small but daily offenses that are a natural addition to the functioning of administrations. In this context, personal interest can become a powerful motivation for protecting the interests of the state and objective law" [24, p.15]. Therefore,

We believe that the community of lawyers occupies a special place in this matter, since among the most significant tasks of their profession is the protection of the rights and interests of citizens enshrined in laws. This is the essence of the rule of law. Such principles as the supremacy of popular law, objective legal provisions, the unification of the state and the individual with mutual interests, rights and obligations are constructed with the help of professional lawyers. In addition, the unmistakable and unconditional fulfillment of their professional duties by lawyers serves as a significant guarantee of the implementation of the interests and protection of the rights of the individual, which significantly increases the degree of responsibility for their actions by employees of law enforcement agencies and other



legal bodies.

It is worth noting that in modern conditions the significance of law in the life processes of our society has grown greatly, the practical benefits of law and legal institutions have tripled, the mass of legal information has increased, and a new legal environment has been developing. The use of law has increased in resolving topical issues, resolving conflicts of interest, disputable situations, protecting honor, dignity and business reputation, etc. The reformatting that has taken place in the social understanding of law has become visible, which is related to citizens' awareness of rights not only in the context of the system of compulsion, but also sense of the method of safeguarding their own interests, national heritage, ensuring social and political harmony.

The essence of the current picture is that jurists, on the one hand, operate with the current legislation, on the other, they are so prepared that they can be distracted to the level of speculative comprehension of existing laws. Legal science is designed to penetrate the true meaning and purpose of law, as well as its real value. For this reason, the work of lawyers contributes to the strengthening of social relations and, accordingly, national interests.

Next, we will consider another significant branch of ensuring the structure of national interests, criminal law, which is a system of enforcement of laws, a kind of punishing sword of justice. In the structure of national interests, this industry plays the role of protecting and seeking the truth, restoring objectivity. It must be said that the crime committed is punished exclusively in accordance with the current norms of criminal law, regardless of what kind of interest is involved in this: personal or state. [25, p.231]

Another significant branch of ensuring the system of national interests is civil law. Relationships conditioned by involvement in this sphere acquire the most acute antagonistic form. Particularly important from the point of view of social policy are the relations of private property, which originate in the 90s of the twentieth century, during the period of cardinal transformations in all spheres of life of society, state and law. This period of development of the Russian legal system, including civil law, is associated with the privatization process, which has not received an unambiguous assessment in any of the significant areas of human activity, such as science, politics, and the public sphere. However, the current economic model is entirely predetermined by these processes. The sphere of relations of private ownership of a set of means of labor and objects of labor, and natural wealth is the quintessence of conflicts of interest and a source of tension in society. For this reason, in the civil law sphere, it is necessary to carry out the most deliberate legal policy, taking into account all the components of the system of national interests. Most likely, in the near future, it will be necessary to return to progressive taxation and a more objective and fair way of social distribution of profits from the sale of energy resources. [26, p.90] Most likely, in the near future, it will be necessary to return to progressive taxation and a more objective and fair way of social distribution of profits from the sale of energy resources. [26, p.90] Most likely, in the near future, it will be necessary to return to progressive taxation and a more objective and fair way of social distribution of profits from the sale of energy resources. [26, p.90]

Next, you should turn your attention to national interests, which are carried out at the level of federal and regional government structures. They are a kind of extensive package of interests that are of practical value in the area of the current development of the domestic system of interests. This value lies in the fact that: the policy of the regions is a system of goals and actions that implement the state interests at the regional level and, in fact, the

internal interests of the regions. The problems of the regions can be solved most accurately and in the required time by local self-government bodies. It is not recommended to discount local governments during the establishment of government. They are at the center of the relationship between the state and society, since they are, to some extent, both a state and a public institution. Consequently, local government embodies the interests of the state and society. Local self-government is a form of government, in the course of which, independently and at their own risk and peril, the local population directly and (or) with the help of the local administration solves problems of a local nature, taking into account the interests of people living in this territory and historically formed and other local traditions [27, p.52].

For this reason, R.O. Ochkin, who believes that: “the legitimate interests of regional significance are the direct legitimate interests of the local population. Actually, the municipality is intended for people living within its boundaries to solve urgent issues in accordance with their interests and characteristics of the area” [28, p.84]. And only then the legitimate interests of the local population should be linked to federal interests, since the latter are financed on a much larger scale. Along with this, the interests of the administrative-territorial entities performing the functions of local self-government, as a legal entity, can also be considered the interests of the municipality. Thus, when it comes to legitimate municipal interests, it should be understood that they represent a "collective form" of this phenomenon. In addition, one can share the opinion of R.O. Ochkin, who believes that legitimate interests at the municipal level are a very complex institution of the reality that exists now in law. Municipal legitimate interests consist in the prevention, elimination of disputes between the municipality and the federal authorities and in the search for compromise solutions, agreement and objective interaction with business entities operating in the area trying to push through their own interests. The authorities are interested in interacting with representatives of large, medium and small businesses, and they are interested in the authorities. Therefore, it is necessary to form a legal state structure that will be most favorable for businessmen who produce goods at both the federal and local levels. one can share the opinion of R.O. Ochkin, who believes that legitimate interests at the municipal level are a very complex institution of the reality that exists now in law. Municipal legitimate interests consist in the prevention, elimination of disputable situations between the municipality and the federal authorities and in the search for compromise solutions, agreement and objective interaction with business entities operating in the area trying to push through their own interests. The authorities are interested in interacting with representatives of large, medium and small businesses, and they are interested in the authorities. Therefore, it is necessary to form a legal state structure that will be most favorable for businessmen who produce goods at both the federal and local levels. that legitimate interests at the municipal level are a very complex institution of the

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The interests of the administrative-territorial entities include stability in politics, the economy and the social sphere, the maintenance of law and order, the availability of suitable conditions for people to live and the functioning of state institutions. At the same time, in certain areas, the interests of municipalities may have their own specific features:

In the field of state security:

- ensuring the right of an individual or a group of persons to individual security;
- prevention and mandatory arrest of any manifestations of terrorism and extremism;
- overcoming the reasons that worsen the crime situation in the region;
- maintaining and improving the structure providing the rule of law;
- training the population in legal terms, primarily the young generation;
- formation of conditions for maintaining the initiative of the population in the field of assistance to structures that ensure public safety.

In the field of prevention and neutralization of emergencies caused by natural and man-made causes:

- formation of a regional system for monitoring and forecasting emergency situations;
- improving the effectiveness of activities related to the prevention of emergencies and reducing the degree of destructive effects of their consequences;
- ensuring the safety of man-made production facilities, their stage-by-stage transformation based on innovative and safe technologies;
- increasing the level of safety in the operation of facilities and life support systems of the administrative-territorial entity;
- assistance in improving the civil defense system;
- ensuring the stable operation of industrial complexes and infrastructure of the administrative-territorial entity in an environment of the influence of various threats and dangers.

In the social and political sphere:

- improvement of housing and communal services and the provision of consumer services;
- an increase in the number of sports schools, sports clubs, sports clubs promoting a healthy lifestyle;
- accessibility for the entire population of medical services, vehicles, communication

systems;

- carrying out intensive military-patriotic activities in youth circles;
- appropriate to the moment and absolute implementation of measures for mobilization preparation;
- the maintenance of families, which are the initial link in society.

In the field of ecology:

- improving the environment, maintaining the state of the environment at an optimal level in the administrative-territorial entity;
- taking into account the aspects of protecting the natural environment in the implementation of programs and projects in the economic and social sector.

In the economic sphere:

- expansion of innovation and investment activities;
- ensuring evolutionary trends in the scientific and technical sphere, effective use of its potential;
- streamlined work and improvement of the infrastructure of the administrative-territorial entity;
- expansion of relationships with other administrative-territorial entities and their development;
- implementation of changes in the economy (privatization processes, corporatization, etc.), corresponding to the interests of the people living in these territories.

In the field of domestic policy:

- ensuring civil peace, mutual understanding, law and order, stability of local government and its institutions;
- elimination of the factors of the emergence of manifestations of political and religious extremism, ethnic separatism and the consequences of these manifestations in the form of conflict situations between representatives of different social groups, nationalities, and confessions.

Finally, we can move on to developing measures to ensure the security of administrative-territorial entities, improving the mechanism for their implementation, taking into account the dangers, risks and threats that negatively affect the interests of citizens, social groups, and the entire administrative-territorial entity.

To achieve the implementation of programs to ensure national interests, it is also required, among other things, to improve the mechanism of public administration, structural in its internal nature. It should have a multi-layered and multifunctional structure, creating conditions for the formation of an integral state policy (in the field of economics, law, sociology, etc.), and its methodical implementation both throughout the state (the geographical factor of the functioning of the state apparatus) and the entire total number of bodies executive power within the boundaries of their powers and taking into account the delimitation of objects of the sphere of activity (functional-subject factor of the functioning of the state apparatus).

The systemic nature of the mechanism under consideration implies that the role of substructures is played by the relevant administrative and legal mechanisms of sectoral and intersectoral ministries and departments of the federal center (in the case of a federal state structure), the republican center (in the case of a unitary state) and regional structures.

In order for the functioning of the state structure to proceed in a lawful manner and be effective, among other things, a suitable regulatory and legal framework is necessary. To



date, a broad and narrow approach has been developed to the concept of the regulatory framework for the life of government bodies. In the first case, it and the subsystem of the national system of law (positive law), which fixes the entire structure of social relations, from the standpoint of the law protected by the state, turn out to be the same. In this sense, institutions and norms play a huge role, aimed at the legal maintenance of the constitutional order, the integrity of the country's territories, state independence, as well as consolidating special legal regimes for ensuring statehood, for example, the regime of the state border, martial law and a state of emergency. In the second case, the regulatory and legal framework for the life of government bodies is regarded as an element of the national legal system, directly associated with giving them legitimacy and legal force; normative and legal fixation of the powers of the state apparatus; streamlining the procedural and procedural problems of his life; legal support of government officials.

Whatever the political and territorial organization of the state, even if there is a loss of its ethnic features and denationalization of ethnicity, the main thing from the standpoint of the national interests of the Russian Federation and the strengthening of its statehood will remain the preservation of the integrity of the state; law supremacy; unconditional respect for individual rights and freedoms; the realization of the right of any person to the basic minimum human dignity and the ability to defend one's true interests in court; observance of the true interests of individual and collegial subjects of law; improvement of enterprises, organizations, civil society institutions; creation of an effective structure of social control over the work of organizations that exercise public power in society and the state.

## 7. Conclusion

The conducted research allowed us to say that at present our state has taken a course towards building such a model of federation, which is based on: integrity; the unity of the system of government bodies; equality of peoples and subjects of the Russian Federation; a clear delineation of the subjects of jurisdiction and powers between the Russian Federation as a whole and its subjects. This circumstance, along with others, forms the basis for the formation, determination of priorities and directions for the realization of national interests. National interests must be viewed as a reflection of the needs of society and the state in achieving the goals of their own existence.

Due to the multifaceted interpretation of the concept of "national interest" in modern, including legal science, to understand the essence and content of this category requires the use of a methodological approach, which consists in the differentiation of socio-political and legal aspects. In the socio-political context, national interests are a balanced complex of objective needs, consisting of national interests (the interests of the whole society, social groups and individual citizens) and the interests of state power. From the point of view of law, national interests are represented by the dictated needs of society and legally enshrined officially declared directions of state policy in all areas of its life. National interest as a theoretical and legal category reflects the agreed recognition by society and the state of the objective needs of their mutual (national) development. Regarding the current state of the mechanism for ensuring national interests, one should state its low efficiency due to the fact that the elimination or noticeable neutralization of a significant part of the existing threats does not occur.

Nevertheless, it can be noted that the modern Russian state is making quite definite efforts to improve the mechanism for ensuring national interests and ensuring national security. Regarding the current state of the mechanism for ensuring national interests, one should state its low efficiency due to the fact that the elimination or noticeable neutralization of a significant part of the existing threats does not occur. Nevertheless, it can be noted that the modern Russian state is making quite definite efforts to improve the mechanism for ensuring national interests and ensuring national security. Regarding the current state of the mechanism for ensuring national interests, one should state its low efficiency due to the fact that the elimination or noticeable neutralization of a significant part of the existing threats does not occur. Nevertheless, it can be noted that the modern Russian state is making quite definite efforts to improve the mechanism for ensuring national interests and ensuring national security.

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