ISSUES RELATED TO THE PUBLIC ADMINISTRATION AND THE APPLICATION OF NATURAL LAW CONCEPT

Aleksandr KOCHUBAEV
Ph.D. applicant at the Institute of Philosophy,
Sociology and Law at the NAS of Armenia

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Introduction

State administration is a form of public administration carried out by the State. It includes the organization and coordination of social, economic, political, and cultural spheres in order to ensure the prosperity of society and protect state interests. State administration includes a number of functions, such as: legislative - creating laws and ensuring their implementation, organizational - coordinating the work of state institutions and organizations and financial - forming and distributing the state budget.

The effectiveness of the state administration is also significantly influenced by various worldview, legal, and philosophical theories of the society, one of which is the conception of natural law. The conceptions of natural law formed in ancient and medieval times proved their theoretical and practical rationality in the legal doctrines and positive law (current legislation) of the modern and contemporary period.

Throughout the historical development of science, natural law has stood as a key concept in the system of doctrines regarding the law and the state, as well as in the system of ethical theories derived from either the natural or divine origin of a being or human nature itself. The historical mission of natural law conceptions was to express legal ideals in keeping with the spirit of the age. The actual field of Natural law, in contrast to the field of Positive law, is the field of the truth and demands of justice, and the system of general legal norms that derive from human intelligence and should serve as a binding standard and guide for Positive law.

The research into the conceptions of natural law helps us to highlight or make the unity of law and social evolution more noticeable, and to realize the prerequisites for the formation of legal norms, legal ideals, and legal institutions that are still developing nowadays. All these matters are the focus of the key issues of the basic conceptions of Natural law, namely: the issue of the combination of human freedom and his existence in nature and society, the issue of the interaction of moral norms and legal law in the regulation of the lawful behavior of an individual, the issue of the essence of ethical and legal ideals characterizing the nature of the legal culture of the society, etc. Legal science strives within the boundaries of the doctrine of Natural law to find the answer to the question of the relationship between right and law, to understand that legal principles and norms are

actually a special form of social relations — a unified form in which there is an internal logic as an expression of the harmony of specific legal relations.

In the course of legal research into the development of the theory of Natural law, a certain difficulty arises because in different historical eras, this concept had completely different meanings and content. Legal theorists have still not figured out the various perceptions of this concept that stem from the interpretations of prominent lawyers and philosophers of the past. When this concept is used in the context of discussing Roman law and Christian theology, it often seems unclear and in need of explanation. At the same time, it contains a certain meaning, which is of great importance for the theory of law and has not been expressed by anyone else. This notion is not always clear or in alignment with the theoretical and practical contexts in which it is mentioned. It is used many times, but not always consistently. However, its inconsistent uses usually differ so slightly from each other that it is difficult to say which of them is dominant. However, we are dealing with an attempt to justify standards of public and individual morality within the framework of one or another variety of legal realities. Whenever the question of natural law arises, in any case, there is always a general content related to rights and law, law and morality, personal freedom and social necessity, natural rights of a man and his duties, relationships, system of stable values in society, and questions about the patterns of its change throughout the history of the development of law. All these categories retain their relevance for modern legal science as well. At the same time, the inadequacy of general conceptual justifications for the integration of these concepts within the framework of a unified theory of law is becoming more apparent today. Natural law most often appears as such justification in legal theory and legal practice. For this reason, the task of researching the development of natural law, revealing the essence of various natural and legal theories, and reinterpreting them from the standpoint of modern legal thinking is still relevant and urgent, even though many lawyers have retained a negative attitude towards the theory of Natural law.

Law presented as legislation (positive law) can be viewed as a tool for implementing a certain system of values expressed in the form of legal ideology in the life of society and the state. Like any tool, legislation is inherently neutral. It can be used both for the purpose of enforcing laws for the sake of justice, humanity, and charity, as well as for misanthropic intentions destructive to the security of the state. The theory of Natural law has always fulfilled and continues to fulfill the role of improvement of existing positive law, serving as a standard. This role is extremely relevant for the formation and development of new legislation in the so-called transforming societies.

Methodology

The methodological foundations of the research are the principles of a complex analysis of political, legal philosophical and legal doctrines. The most important method in the

philosophy of law is the method of unity of the historical and the logical. It consists of the fact that the logical model of the development of law is cleansed of historical random stratifications. The logical framework of the development of natural law applies to various historical situations and is not connected with random, transient circumstances. Cognitive, logical, and comparative law, as well as historical, and comparative legal methods used in this research, have enabled the author

- *to identify the peculiarities of the interpretation of the concept of natural law, which reveal the source of natural legal ideas and their essence;*
- *to take into account the problems facing modern legal science - the problems of forming a legal state and building a civil society;*
- *to comprehensively analyze the prerequisites, process, and results of the development of the theory of natural law based on the theory of law;*
- *to outline the general theoretical and methodological development directions of the doctrine of law and the state, the individual, and civil society*.

The formulated goal is concretized in the form of specific tasks presented below:

✓to define the methodological bases and features of the development of fundamental natural and legal categories in the context of legal doctrines;

✓to identify the main landmarks in the historical development of ideas about natural law and their characteristics;

✓to analyze the ways of solving natural and legal issues in the modern philosophical and legal conceptions of various directions;

✓to identify the major forms of post-classical philosophy's attitude towards the theory of natural law taking into account the diversity of major legal schools and trends;

✓to analyze the modern ideas of natural legal heritage that will enable us to solve the problems that arise during the modern development of civil society and the rule of law.

Literature review

The theoretical provisions and conclusions formulated in the research develop and supplement the fundamentals of the general theory of law and state, dedicated to the issues of objective and subjective law, sources of law, legal relations, legal consciousness, and legal culture, the role of state institutions in the regulation of social processes, as well as various legal doctrines. The issues examined in the research represent a theoretically important aspect from the perspective of the current problem of integrating various fields of social and human sciences: History, Philosophy, Sociology, and Law.

There is a vast literature on the notion of natural law, its formation, the sources and content of natural law norms, and its relationship with positive law, including historical and legal approaches to this topic. These fundamental issues were raised in the works of the greatest thinkers of the ancient era: Socrates, Plato, Aristotle, and others, - and were then developed in the works of thinkers of medieval, new, and modern times: Mkhitar Gosh,

Thomas Aquinas, T. Hobbes, J. Locke, B. Spinoza, H. Grotius, I. Kant, I. Fichte, G. Hegel, and others. The peculiarities of political, social, and economic conditions in different eras of history predetermine the diversity of positions and approaches regarding the relationship between the morality of law, personal freedom, justice, legality, and other issues that traditionally constitute the framework of natural legal issues.

The systematic study of the issues of the formation and development of ideas about natural law began only in the 19th century and became a subject of special scientific interest for jurists. This was due to the crisis of natural law theory, caused by the criticism of the historical school by representatives of H. Hugo, C.F. Savigné, and G. Puchta, as well as positivist jurisprudence. The critical attitude, which later changed into a growing interest in natural and legal issues, led to the rise of legal research. In the modern era, the problems related to natural law have been thoroughly studied in the works of S.S. Alekseev, L.I. Antonova, V. G. Grafsky, Yu. I. Gretsov, V.P. Kazimirchuk, V.N. Kartashov, D.A. Kerimov, S.A. Komarov, V. A. Kugryavtsny, E.V. Kuznetsov, E.A. Lukashova, D.I. Lukovsky, G.V. Maltsev, N.I. Matuzov, V.S. Nersesyants, A.A. Piontkovsky, V.B. Rumanovskaya, R.A. Romashov, V.P. Salnikov, L.I. Spiridonova, V.A. Tumanov, V.A. Chetvernin, L.S. Yavitch and other scientists.

The development of theoretical propositions and conclusions contained in the works of these authors implies a return to the classical philosophical and legal heritage and its reinterpretation. Although today there is still no special work dedicated to the issues of the establishment and development of the theory of natural law, nevertheless, the philosophical and legal thought of the modern era has already created a sufficient source and methodological base for its implementation [Marchenko, 2011]. It is made up of works that touch upon the general patterns and stages of the development of the philosophy of law, examine the works of individual authors, as well as the works of European and Russian authors, republished with relevant comments.

Scientific novelty

This research represents a complex, logically complete, and systematic study of the establishment and development of the theory of natural law in the history of legal thought. The comprehensive approach to the issues under consideration makes it possible, for the first time in the field of theoretical legal research, to comprise separate urgent issues united by the theory of natural law, to clarify their historical and logical foundations, and to explore the interaction of ideas from different schools of natural law.

For the first time in domestic jurisprudence, the author examines the specifics of the manifestation of the doctrine of natural law and the evolution of its further development in the context of the European classical philosophy of law. Based on the results of the complex analysis, the author of the research has developed a theoretical understanding of the place and role of the most important natural and legal concepts in the system of legal

categories. Based on an in-depth study of the works of world classics of the Philosophy of law, the author has developed a unique concept of the emergence, formation, and development of the theory of natural law, based on ideas about the renewal of philosophical and legal paradigms and the corresponding change in the priorities of scientific analysis of legal categories. In addition, the role and importance of the theory of natural law in the improvement of positive law (current legislation and law enforcement practice), as well as the transformation of the principles of natural law in the national law system, were thoroughly analyzed in this work. The results of the research represent a specific scientific result that can be used in research on guarantees of individual rights and freedoms in a legal state. The conclusions of the research can be used in lectures on the theory of law and state, the history of legal and political doctrines, and the philosophy of law.

Based on the results of the research, recommendations can be developed on fundamental issues of law and state. The research outlines ways to improve legislation and the legislative process, which will strengthen the principles of human rights and freedoms, the foundations of the relationship between the individual and the state in various spheres of public life, and contribute to the moral and legal education of the individual.

The research findings and conclusions can be used in scientific and pedagogical activity in the fields of Legal, Philosophical, Historical, and Sociological sciences. The doctrine of natural law is based on the idea that all existing legal norms must be based on certain objective principles that do not depend on the will of the individual (society). Since nature was considered a model of such objective principles, the right independent of human will and desires was called “natural”. Natural law theory seeks to find a reality specific to law that does not limit itself to the reality of institutions of state power. It is closely related to an idealistic worldview. Since natural law in its generalized sense is understood as a superordinate example or the totality of all superordinate obligations of human practice, the peculiarity of natural law thinking, in simple terms, is the distinction and comparison of law and right from the perspective of the principles of justice [Dorzhiev, 2005, 24-25]. In science, the discussions of supporters of natural and positive law haven’t stopped for long. The formers believe that each person has inalienable rights (to life, liberty, property, security, personal dignity, etc.) that belong to him by birth. Proponents of the second approach are convinced that a person acquires all rights thanks to the state, which, therefore, can cancel or limit the freedoms of its citizens [Novikov, 2002].

For centuries, the systematic problem of distinguishing between natural and positive laws has been actively discussed within the framework of jurisprudence. V. Gulyakhin draws attention to the fact that positive law should be a liberating, not an enslaving, force. By the principles of natural law based on the public benefit, a person’s external freedom must always be limited by the freedom of others [Gulyakhin, 2013, 221-238]. The issue under discussion has a clearly expressed philosophical perspective. The separation of law

into natural and positive is one of the main axioms of classical legal philosophy. Despite all the conventions of these terms, it must be acknowledged that the essence of the problems underlying this distinction is quite serious. It should also be emphasized that the expediency of distinguishing between two hypotheses of legal consciousness: natural law and positive law has long been beyond doubt of theorists with no ideological complexes.

Traditionally, the most important characteristic of natural law is considered to be its universal normativity, which has an impersonal, authoritarian nature. The norms of natural law are addressed to all subjects without exception and call for following the instructions they contain because they meet the highest, absolute standards of justice. The categorical nature of these requirements leaves no room for doubt or hesitation, guaranteeing the highest precision of the individual sense of justice in its orienting and regulating activity. The instructions of the imperatives of natural law do not always correspond to the secular interests and opportunistic and pragmatic considerations of social entities. Egocentric mind and the logic of corporate morality rarely tend to take into account the demands of higher justice. Various contradictions have constantly been arising between them and others, and spiritual and practical conflicts have been unfolding, occupying a significant place in the context of world religious, ethical, philosophical, and legal thought for two and a half millennia. In principle, various kinds of relationships are possible between a universal imperative and the specific will to which it is directed. In addition, there are also likely to be significant discrepancies in the practical forms of its implementation. And this, in turn, not only complicates mutual understanding, but also serves as a basis for the emergence of the problem of the relativity of legal requirements, and therefore for doubts about their universality. It was in the problematic space formed by these contradictions that the distinction of natural and positive laws emerged. At the same time, if natural law is understood as the set of universal norms and principles underlying all legal systems of world civilization, then positive law should be called those legal norms that are formulated as a system of legislation and are protected by the authority and power of a given state in a given historical period [Bachinin, 1999, 76-87].

According to Novgorodtsev's conception, the idea of natural law derives its highest principles from moral philosophy, but the realization of these requirements in specific conditions is a matter of constructing an ideal, that is, a matter of the means to achieve that ideal. Therefore, research methods used in Jurisprudence, Political Economy, and History are important at the level of implementation of the principles of natural law. At the same time, Novgorodtsev emphasized the “purely formal” significance of these sciences: they should be an arsenal of means for the goals indicated by ethics. Priority belongs to moral obligation, cause-and-effect relationships are taken only by this highest and main principle [Novgorodtsev, 1902, 294]. Explaining the problem in the course of analyzing Leibniz's interpretation of the essence of natural law, Novgorodtsev notes that the

question of the essence of natural law was resolved ambiguously in Leibniz's works. Noting that the norms of natural law are as immutable and eternal as the principles of arithmetic and geometry, Leibniz understood the eternal significance of moral principles either as a valid universal law or as a principle that is normative. But the issue here is not only the uncertainty of Leibniz's views, this is one of the very common "sins" of ancient legal philosophy. It was Kant who contrasted this ambiguity with the clear distinction between theory and morality, between the laws of nature and the norms of freedom. In connection with these divisions of the doctrine of law, Kant stated that natural law is based on a priori principles, while positive law derives from the will of the legislator. Explaining these provisions of Kant, Novgorodtsev notes that the German philosopher believed that enacted laws were, in principle, external laws. At the same time, these laws are divided into those whose binding nature is recognized by reason as a priori (these are natural laws), and those that cannot be binding without valid external legislation (this is the sphere of positive law). As for the source of positive law, the question here is clear: this is the will of the legislator, which is implemented in the specific conditions of law-making. The situation is more complicated about the source of natural law. What does Kant mean by a priori principles of natural law? Novgorodtsev seeks the answer to this question in Kant's words according to which we are talking about principles directed at a person to the extent that he enjoys freedom and possesses moral knowledge. In essence, we are talking about the laws of moral obligation [Bazhov, 2016, 97-107].

The mother of natural rights is human nature [Grotsius, 1994, 48]. This thought of H. Grotius expresses the entire axis of the natural law conception. The standard-bearers of the natural law theory contrast natural and positive rights. This contrast is based on the idea that the only true right is natural rights, or vice versa. The aforementioned debate has led to the emergence of one of the main scientific problems in the field in question, which is related to the genesis of natural rights. By solving the genealogical problem, we can conclude about the existence or absence of natural rights.

Where did natural rights originate from? From the will of God or human consciousness or some other basis altogether? The answer to this question largely depends on differences in approaches from the perspective of legal perception. The answer to this question is largely related to the differences in approaches from the perspective of legal perception. H. Grotius sees the origin of natural rights in human nature. For the author, natural rights exist independently of divine authority (Grotius does not refer to God at all). Natural rights retain their force even in the absence of God [Grotius, 6]. In the sense of this approach, natural rights arose in the course of social development and are inherently anthropogenic. In other words, the origin of natural rights lies within man, stemming from his nature. Such an approach rationally interprets the origin of natural rights by linking them to the inner world of man. This means that natural rights were created by man, for man.

Contrary to this, the view expressed in professional literature is that natural rights establish absolute and eternal legal principles based on the divine will or the highest qualities of human intelligence that express divine truth. Based on natural law, members of civil society and its institutions receive a legal opportunity to control the activities of the state, to counteract its possible dictates and arbitrariness. The ties formed between a developing civil society and a state acquiring legal parameters are a favorable basis for transforming the values of natural law into the content of positive law [Grin, 2014, 6-9]. In essence, these approaches are more metaphysical than scientific or legal and are specific to various theological theories that link the origin of the state and law to divine creation. In this regard, it should be accepted that natural rights (and the state and law in general) are created by God. However, from a scientific perspective, there is difficulty in linking the origin of natural rights to the Almighty and substantiating such a view, since there is a problem with the forms of God's existence and the substantiation of God's expression. Moreover, the author of these lines has a deep conviction that everything in this world is the result of divine creation, but there is no desire to put faith, conscience, or emotions as the basis of research. It is simply necessary to accept that the power that created all of this has also given man natural rights that are not subject to change.

The non-human nature of natural rights is also substantiated[1] by V. Nersisyants. Natural right is a phenomenon that is always and everywhere present, given to man from outside, considered as a starting point in a specific place and time, and is the basis of legal processes [Nersesyants, 2001, 152-153]. It is also necessary to discuss the question of whether natural rights are a result of social development or a phenomenon programmed by God. The emergence of the mentioned question is due to the fact that practically any right can be considered natural, given by nature or God, which is a rather dangerous process, since in a manipulative world, God's will can be distorted and personal desire can be presented as a natural right. As a solution to the situation, one can adopt the approach according to which all rights and all barriers are created by man to regulate his social life. There are simply some rights that are so fundamental in their meaning that they are close to divine creation, but until God speaks to us, we cannot claim that this or that right has a divine origin.

Analysis

Thus, in the context of the above, we can state that contemplations on natural rights have accompanied humanity and all civilizations. Although today we have complete documents that contain normative provisions of human natural rights, the vocabulary of natural law and the summary of ideas in them is the product of two millennia. Natural law theory emerged and developed as a result of intense debates. In the sense of a legal map, it encompassed all present and past societies of the world. Historically, a set of views was

[1] However, with the difference that the origin of natural rights is not connected with God.

formed within this theory, according to which a person has certain rights and freedoms from birth, which are at a supra-legislative level, precede it, and cannot be narrowed or limited by law (in the positive sense).

Despite the internal contradictions of the theory of natural law (since it affected problems that historically seemed almost insoluble in Antiquity, the Middle Ages, modern times, and today; as revealed by modern legal and philosophical and legal thought), the values of natural law (which are based on the principle of absoluteness) do not depend on changes in socio-historical conditions and are not subject to depreciation. They are not the result of the will of the state, are not dictated by its decrees, and are above its transient interests. Therefore, they are capable of acting as value standards for the activities of legislators of different states in different historical periods. The essential feature of natural law philosophy is that it ultimately seeks to find higher moral standards for positive speech. The essential feature of natural law philosophy is the quest to find higher moral standards for positive laws and order maintained by the government. Based on this, in a theoretical and cognitive sense, the main problem of the "revived" natural law as a scientific doctrine was summarized in the relationship between law and morality.

The conception of natural law has gone through long and arduous centuries in its development. It has never been a homogeneous, unified, and complete theory, as it contains many shades, emphases, and different approaches. In the most ancient times (in the ancient and antique centuries), the embryos of natural law were discernible in mythological, mythical, and religious concepts. It was formed with a relatively collective and logical content in the Greco-Roman legal culture. However, even in the developed Greek philosophical systems and Roman legal culture, the concepts of natural law had not yet been formed as a unified theory of a philosophical and legal nature. The legal ideal is proper, and in that sense, the law represents a spiritual and practical way of mastering the world. A truly profound understanding of the essence of law is impossible only within the boundaries of legal science. During the historical and legal research of the development of the theory of natural law, a certain complexity arises because in different historical eras, this concept was given a completely different meaning. At the same time, it should be taken into account that the evolution of the concept of “natural” is connected to the development of the European concept of “natura” - nature. The meaning of this legal concept, clearly formulated by Cicero and Roman lawyers, became blurred in the middle ages. Among modern thinkers, it regains concreteness and categorical clarity. For any natural law approach, the typical and essential distinction between the “natural” and the “artificial” is rooted in a rejection of culture. The shortcomings and dangers of that culture were contrasted with the traditional, pre-cultural way of life and lifestyle, given to man once and for all by nature, that is, not invented by man, pre-given, non-artificial.

The opposition of the idealized “natural” to the arbitrary “artificial”, dictated by the demands of the struggle for the existence of a socialized (i.e., cut off from nature, “cul-

tured") person, thus presents itself as an objectively necessary means of protecting the "natural" outside the man and within him (nature's unique barriers and counterbalances against culture) against the dangers and threats of the "artificial".

These ideas, perceived and transformed into the natural legal theories, accompany man throughout his history. They became significantly more active, especially in the 20th century when everything "natural" (man and humanity) faced the deadly threat of the artificial (totalitarianism, nuclear and ecological disasters, etc.) again, but at a more mature stage of civilization. The reason for the viability of the archaic natural law principle of the separation of "natural" and "artificial" in the field of law and its adaptation to different eras and situations ultimately lies in the fact that this contrast (and along with it the dialectic of "assistant" and "artificial") is intrinsically specific to the entire process of the formation and development of humanity. And although the content and configuration of these contradictions (as well as what is considered "natural" or "artificial" in a given era, in a given society) undergo socio-historical changes, nevertheless, the contradiction itself (as a fact and principle) remains.

There is a significant correspondence between the natural and legal and real historical forms of the relationship between the "natural" and the "artificial". Therefore, the natural and legal principle of the opposition (relationship) between the "natural" and the "artificial" touches upon the contradictory essence of the existence of humanity and civilization, expressing in a unique way one of the essential contradictions of the development of humanity. This, incidentally, is the reason for the significant contribution that the natural and legal thought (in its characteristic form of law and fundamental issues in the global context of human existence in the world, the significance and destiny of humanity) has had to the establishment and development of not only jurisprudence but also social philosophy and philosophy of history. Thus, natural law is the right that gives priority to man and is superior to man's definitions; it is the legal form of demonstrating the primacy and supremacy of the natural over the artificial in human relations. Therefore, natural right is a pre-given human right that is superior to definitions; it is the legal form of manifestation of the primacy and supremacy of the natural over the artificial in human relations.

Conclusion

Thus, based on the above, we can conclude the following:

Throughout the historical development of science, Natural law has stood as a key and basic concept in the system of doctrines regarding the law and the state, as well as in the system of ethical theories derived from the natural or divine origin of a being or the human nature itself. The historical mission of natural law was to express legal ideals in keeping with the spirit of the age. The actual field of Natural law is the field of the truth and demands of justice, and the system of general legal norms that derive from human intelligence and should predetermine the content and development prospects of positive law.

According to the natural and legal approach, law in its nature, meaning, essence, and understanding is an ideal, rational law. However, different conceptions of natural law give different answers to the question of what is natural law itself. The content of both traditional and "revived" natural law is not homogeneous, it contains many shades and directions of manifestation, but deep down they have one common understanding: it is supra-state and supra-positive law. After all, there has never been, is not, and, in principle, will never be any single conception of natural law, but there have been and are many different (separate, distinct) conceptions of natural law, which have different approaches to the origin (divine, natural, moral origin), essence, and content of natural law. So, the single general name "natural law" implies various versions of natural law, different in their content, essence, and concept, as well as various meanings that are embedded in a stable and widely used concept by past and current conceptions and theories.

Since natural law doctrines (and the various concepts of natural law underlying them) have, in addition to their differences, a certain and essential commonality, which allows us to distinguish "natural law" (and natural and legal concepts) from "positive law" in general (and Positivist conceptions), a question arises about the comprehensive definition of natural law, that is, the definition of the general concept of natural law. For this, it is necessary, first of all, to formulate the universal principle of natural law (that is, to reconstruct the theoretical abstraction of natural law, its idea and principle from the doctrines about the variants of natural law), which will express its specificity and essence in a condensed form (and along with it, its general concept).

The legal ideal is proper, and in that sense, the law represents a spiritual and practical way of mastering the world. A truly profound understanding of the essence of law is impossible only within the boundaries of legal science. The research into the conceptions of natural law helps us to highlight or make the unity of law and social evolution more noticeable, and to realize the prerequisites for the formation of legal norms, legal ideals, and legal institutions that are still developing nowadays. All these matters are the focus of the key issues of the basic conceptions of Natural law, namely: the problem of the unity of human freedom and his coexistence in nature and society, the problem of the interaction of moral norms and legal law in the regulation of the lawful behavior of an individual, the problem of the essence of moral and legal ideals characterizing the nature of the legal culture of the society, etc. It is within the boundaries of the doctrine of Natural law that legal science strives to find the answer to the question of the relationship between right and law, to understand that legal principles and norms are actually a special form of social relations – a unified form in which there is an internal logic as an expression of the harmony of specific legal relations. According to the natural and legal distinction between right and law, right (and the properties specific to it or attributed to it) is objective in a special sense, in the sense of its rationality, which is fundamentally

opposed to the artificiality of positive law (and with it its subjectivity, arbitrariness, etc.). Also, the natural, legal distinctions of natural and positive laws include their opposing value assessment: natural law is absolutely positive, positive law is relatively positive.

The research substantiates the hypothesis that the principled opposition of the "natural" to the "artificial" in the field of law, along with their opposite value assessment, constitutes the meaning and essence of natural law in terms of differentiation and correlation with positive law. The permanent component of this natural and legal scheme and at the same time the semantic basis of traditional notions of eternal and unchanging natural law (as opposed to changeable positive law) is the very principle of the opposition of "natural" and "artificial" in the field of natural law, which includes their value assessment and the superiority of "natural" over "artificial". However, this does not mean the existence of an objective antagonism between the natural and the artificial (positive law). At the current stage of the development of law, the convergence (the process of transformation) of the natural and the artificial is clearly noticeable, which is confirmed by the harmonious development of natural law and positive law in developed legal systems, especially in constitutional and legal norms, the human rights system, and the sphere of justice.

The practical consequence of the content of positive law, the penetration of natural law values into the legal life of a developing civil society, and its main form are legal laws, thanks to which natural law, while not having a normative, regulatory nature, acquires practical significance. Being based on the basic principles of natural law, legal laws acquire those value qualities that allow them to positively change the essence, content, and social orientation of existing positive law, truly protecting human rights and freedoms. The essential feature of legal laws is that they have a natural and legal nature, stemming from the inherent, inalienable rights and freedoms of man. If the potential of natural law is ignored, laws passed cannot become legal. Only legal laws conditioned by the values of natural law are directly addressed to the interests, rights, and freedoms of members of civil society. If the necessary conditions for the introduction of legal laws are absent in society, then the idea of legal laws acts as an ideal calling for justice and dignity of human existence. Natural law (as the legal expression of the "natural") and positive law (as the legal expression of the "artificial"), according to the natural and legal principle, appear as interconnected opposites (and pairs of categories that presuppose one another). In this sense, natural law, in its relationship with positively given law, represents a pre-given (pre-positive, before positive, super-positive) right, which, to have a legal nature, must correspond to positive law (due to the unconditional supremacy and decisive nature of the "natural" over the "artificial", including their relationship in terms of legal precedence). The introduction and consistent implementation of the aforementioned theory in public administration can be a driving force for society and the state, and as an effective system of governance, can ensure a dialogue between the state and the society. And it is

no coincidence that in the middle ages, it was the dogma of natural law that was put at the heart of church management. This means that natural law has been confirmed by experience, so the task of the state is to take a fresh look at this management tool.

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Aleksandr KOCHUBAEV

Issues related to the public administration and the application of natural law concept

Key words: public administration, state, society, natural law, positive law, divine law, law, human nature, legal doctrine, legal norms, secular law.

In this research, the fundamental problems are concentrated in the initial provisions of the main conceptions of natural law, in the fundamental principle of the unity of human freedom and its coexistence in society and in nature, within the framework of the interaction of moral norms and legal law in regulating the lawful behavior of an individual, in the system of moral and legal ideals typical for the nature of the legal culture of society. Summarizing the above provisions on the uniqueness and essence of natural law, the following definition of the general (universal) concept of natural law can be formulated: natural law is a law present everywhere and always and previously and externally given to a person for a given place and time; a law that, as an expression of objective values and requirements of human existence, is the only and unconditional source of legal meaning and an absolute criterion for all definitions given by people, including positive law and the state. Consequently, natural law is a social institution of a supranational nature, conditioned by nature and the social environment, the requirements of which, breaking through the human mind and legal consciousness, acquire a legal form and act in the form of legal prescriptions, legal norms, and case law.