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**INCREASING THE LEVEL OF CITIZENS' LEGAL CULTURE
BY INTRODUCING INNOVATIVE DIGITAL TECHNOLOGIES IN RUSSIA**

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Abstract

Law-making activity at federal and regional levels actualizes implementation of rapidly developing technologies, creating the optimal regime for its users. The authors analyze provision and content of the information portals, which show the condition of law-making activity at federal and regional levels. It is proved that the distributed registry system is an indispensable technology. The authors identify the principles of promoting the citizens' legal culture and assert that implementation of these principles, together with using the distributed registry system, will facilitate information exchange between the users of the aforementioned platform.

Keywords

Legislative activity – Legal culture – Information and legal portals – Distributed registry system

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Introduction

As researchers from many countries assert, we witness the fourth wave of scientific and technological advance. This wave can be compared to a tsunami due to the speed and power of penetration into all spheres of human existence. Thereupon, the issues of the legal regulation of common living on the Earth and the means of dispatching the necessary legal information to everyone concerned are of topical relevance. Russia, just as other countries, comprehensively faces the influence of scientific and technological advance, but it is its adequate intellectual response to the modern challenges that would allow it to occupy the leading positions in all spheres. One of the priority tasks of the modern society is to ensure high legal culture of the population¹, based on providing timely legal information using innovative information technologies, in particular, distributed registry. Opinion on this topic has been published by such scholars as K. W. Dam² and R. C. Ellickson³.

The present research was carried out to find ways of increasing the level of legal culture of citizens by introducing innovative digital technologies. In the authors' opinion, in order to achieve that goal it is necessary to solve the following tasks: to estimate the accessibility of information about law-making activity, including the citizens' access to law drafts at federal and regional levels; based on the analysis of regional portals, to formulate the principles and possibility of forming an integrated inter-regional portal of the drafts of normative legal acts; to suggest ways of improving the information openness of the authorities in order to implement the constitutional right of citizens to participate in state administration.

Materials and methods

To solve the set tasks, the study applies a wide range of methods: systemic, formal logical, and comparative-legal. The formal logical method made it possible to solve the set tasks related to formulating the single principles of designing and providing the information-legal portals at regional level. The comparative-legal method broadened the scale of the research, helping to analyze the citizens' accessibility to law drafts and to compare approaches to designing the information-legal portals at regional level and the results of their functioning.

The method of systemic analysis provided the reliability of the conducted research, as all the currently functioning regional portals and the federal portal were analyzed. The methods of analogy and summarization facilitated the definition of the citizens-participants' legal status in case of applying the distributed registry system in the functioning of the integrated inter-regional portal providing the citizens' access to the drafts of normative legal acts. The potential of the applied methods allowed solving the tasks set in the research.

In the course of the research, we examined the system of legal information of the population, its goals and tasks, first of all, in terms of their providing access of the citizens

¹ E. G. Bagreeva, "Legal culture of law-making and legal issues of ecological safety in the sphere of transportation complex", *Yuridicheskii mir*, num 6 (2019).

² K. W. Dam, "Self-Help in the Digital Jungle", *The Journal of Legal Studies*, num 28(2) (1999): 393–412.

³ R. C. Ellickson, "Law and Economics Discovers Social Norms", *The Journal of Legal Studies*, num 27 (S2) (1998): 537–552 y R. C. Ellickson, "Trends in Legal Scholarship: A Statistical Study", *The Journal of Legal Studies*, num 29 (S1) (2000): 517–543.

to the law drafts, and also their possibilities of implementing the constitutional right of citizens, their associations and unions to participate in state administration.

The legal basis for the Federal portal functioning is the provisions stipulated in the Decree of the Government of the Russian Federation of 25 August 2012 No. 851 "On the order of disclosing by the federal executive authorities of the information on developing normative legal acts and results of their public discussion", as well as in the Decree of the Government of the Russian Federation of 26 February 2010 No. 96 "On anti-corruption expertise of normative legal acts and drafts of normative legal acts" and in the Decree of the Government of the Russian Federation of 16 May 2011 No. 373 "On elaborating and adopting the administrative regulations of executing state functions and the administrative regulations of providing state services"⁴.

Results

The goals of state support include developing informational society in Russia, increasing the level of legal education of citizens, achieving accessibility of normative legal acts of all levels for the population, etc.

The key requirements to information provision in the sphere of legal information are the following:

- maximal completeness of provided materials on the issue of interest for the user;
- constant updating of information resources as new legal acts are adopted;
- possibility to obtain comments on the actual impact of legal regulation;
- possibility to obtain comments on particular provisions of legal acts;
- convenience of accessing and working with legal information.

The state of law-making activities⁵ at federal level does not present significant problems, as it can be estimated based on the data of several official sources of information (portals): official website of the State Duma of the Russian Federation, informational-legal system "Legislation of Russia", and federal portal of drafts of normative legal acts (further – the Federal portal).

The first of them reflects law-making activity, beginning from discussing in the said body.

The second is not related to law-making but was developed as a part of state system of legal information within the frameworks of state policy in the sphere of legal informatization of the country.

The third is a specialized portal of federal level characterizing the current state of law-making activity and containing all necessary elements. It was developed in order to place information about the drafts of normative legal acts prepared by executive authorities and the results of their public discussion.

⁴ Official internet-portal of legal information. Retrieved 25.03.2019 from: <http://www.pravo.gov.ru>.

⁵ N. I. Shakleyin, "On the issue of increasing the efficiency of law-making work in Russia", Gosudarstvo i pravo, num 10 (2008): 78-85.

At the official level, publication of the drafts of normative legal acts takes place separately at the federal level – on the federal portal of drafts of normative legal acts⁶ and at the regional level – on regional portals⁷, developed in compliance with the laws of the Russian Federation subjects.

Also, there are informational-legal systems “Konsultant+”, “Kodeks”, “Garant” and others⁸, which place drafts of normative legal acts of federal and regional levels, but they do not possess the status of the official source of information, like, for example, informational-legal system “Legislation of Russia”. The latter, possessing the said status, does not place drafts of normative legal acts.

Federal level of providing the citizens' access to drafts of normative legal acts

The federal portal of drafts of normative legal acts (further – the Federal portal) is an official website for placing information about the drafts of normative legal acts prepared by federal executive authorities and the results of their public discussion. The portal provides an opportunity for a user to act in various statuses with the corresponding set of the functional, shown in Fig. 1.

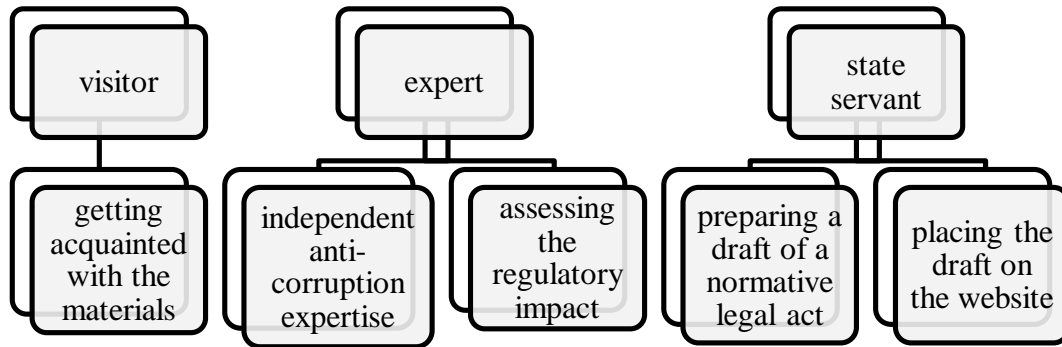


Fig. 1
User status at Federal portal

The portal menu shows the options provided to the users to implement their civil rights to participate in the political life of the society. Every citizen may participate in improving the living standards of the society on the territory of their country, if they uphold their civil attitudes, suggest amendments to the new legal acts, and discuss their drawbacks.

The Federal portal provides these options (see Fig. 2).

⁶ Federal portal of drafts of normative legal acts. Retrieved 25.03.2019 from: <http://regulation.gov.ru>
⁷ Portal of drafts of normative legal acts of a subject of the Russian Federation – Arkhangelskaya oblast. Retrieved 25.03.2019 from: <http://regulation.dvinaland.ru>.
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 Portal of drafts of normative legal acts of a subject of the Russian Federation – Chuvash Republic. Retrieved 25.03.2019 from: <http://regulations.cap.ru>.
⁸ L. Griffiths, “Free legal databases at IALS library”, *Legal Information Management*, num 7 (1) (2007): 54-55.

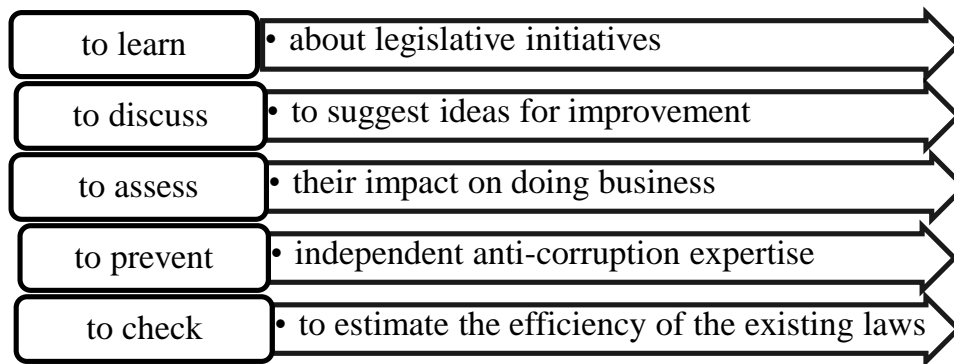


Fig. 2
User options at Federal portal

All options are opened on the main page, which makes the interface of the Federal portal very convenient for users.

Besides, the Federal portal contains statistics showing the number of drafts (over 61 thousand as of June 2019). The current data on ratios of the active drafts by status and stage are shown in Fig. 3.

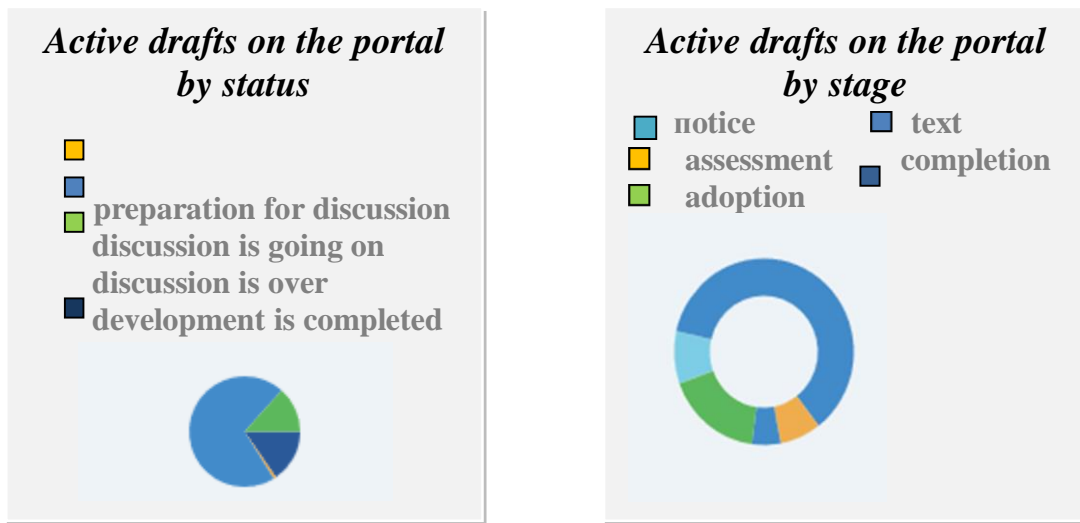


Fig. 3
Data on active drafts as of June 2019

The Federal portal provides an option of seeing the number of conclusions by drafts developers, the number of positive and negative conclusions, and the currently most discussed projects.

Regional level of providing the citizens' access to drafts of normative legal acts

At the regional level, it is not possible to estimate the state of law-making activity separately for each region and separately from federal law-making; that is one of the problems impeding harmonization of legislation at federal and regional levels.

For example, the regional portal of Leningradskaya oblast was launched by the regional authorities in order to:

- disclose information about the drafts of normative legal acts prepared by federal executive authorities and the results of their public discussion;
- increase the informational openness of the executive authorities;
- implement the constitutional right of citizens, their associations and unions to participate in state administration.

The portal publishes the drafts of normative legal acts, subject to estimating their regulatory impact, and the results of their public discussion.

Thus, the regional authorities of Leningradskaya oblast implement the goals and tasks of increasing the informational openness of the Russian subjects' authorities activity in compliance with the requirements of the federal center.

There are other examples. Thus, as it is stated on the website of the Tambovskaya oblast regional portal, any registered user of the portal can:

- take part in discussing a draft of a normative legal act, published by the state authorities of Tambovskaya oblast;
- submit proposals for improving the draft, in any convenient form.

Also, the portal provides up-to-date services allowing the users to acquaint with a passport of the elaborated draft, which reflects the course of work over the draft. There, one may submit comments and proposals of the participants of public discussion or analyze the developer's viewpoint. Such procedure allows the experts and participants to timely acquaint with drafts of a normative legal acts, timely react to the changes in legislation and be sure that their voice will be heard.

However, this example reveals the attempt to reformulate, according to their own comprehension, the goals formulated by the federal center, which may mislead the citizens. This may impede the implementation of the constitutional right of citizens, their associations and unions to participate in state administration.

Discussion

Most of the regional portals of drafts of normative legal acts are created by the subjects' authorities with the above-mentioned goals, but unfortunately, there are exceptions, as our analysis showed. Examples include Moscow, the Republic of Sakha (Yakutia), and others.

Positive and negative experience of functioning of the regional portals of law-making activity

The positive aspects of functioning of the regional portals of law-making activity include:

- dividing drafts by spheres. It is implemented in some databases; for example, in Chuvash Republic all drafts are divided by a developer. This option facilitates searching and analyzing the law-making activity in a region;

- availability of the draft text, indication of the stage of elaboration and the developer of the draft. The portals of all regions place the drafts texts; in most of the regions, they indicate the stage of elaboration. However, not all drafts have indication of the developer, for example, in the Moskovskaya oblast database;

- discussion and its results are reflected in the portal. Actually, this part is the main one, as the portals were created in order to increase the informational openness of the Russian subjects' authorities and to implement the constitutional right of citizens, their associations and unions to participate in state administration. The content of most of the portals reflects these data, but the portal of Moscow is devoted only to investors, and lacks the said information;

- estimation of the regulatory impact and reflecting its results. In compliance with the requirements of the legislation of the Russian Federation and its subjects, estimation of the regulatory impact is obligatory, and the regions follow this norm by publishing the relevant information in section "Materials" in the form of reports, and in some cases in the form of a counter on the main page, which increases the portal informativity;

- estimation of the actual impact and reflecting its results. The data on estimating the actual impact are published only in a small number of portals. One of the best practices is information on estimation given in the portal of Moscow.

Thus, most of the portals have similar functional, for example, Leningradskaya, Moskovskaya and Penzenskaya oblasts, Kamchatskiy krai, Chuvash Republic, and others. The portal of Arkhangelskaya oblast is the closest to the federal portal by level and content. The portal of Moskovskaya oblast does not always indicate a draft developer; there are no data on estimating the actual impact and its results, as in Chuvash Republic.

The portal of Moscow is devoted only to investors, thus, it was developed with different goals. The portal of the Republic of Sakha (Yakutia) is aimed at acquainting with the results of estimating the regulatory and actual impacts, as most of the materials placed there are conclusions of such estimation.

It is worth noting that a quality ranking of the regulatory impact in the Russian Federation subjects is compiled, based on the estimation of regulatory impact; some regions then publish the ranking in their portals. In compliance with the Guidelines for compiling such ranking⁹, in 2018 the regions were ranked into three groups according to the scores they got. The groups are shown in Fig. 4.

⁹ Methodology of forming the ranking of quality of estimating the regulating impact and expertise in the subjects of the Russian Federation. Retrieved 03.03.2019 from: <http://economy.gov.ru/wps/wcm/connect/99d53887-1820-46ff-b06c-73378bd42809/metodic.pdf?MOD=AJPERES&CACHEID=99d53887-1820-46ff-b06c-73378bd42809>.

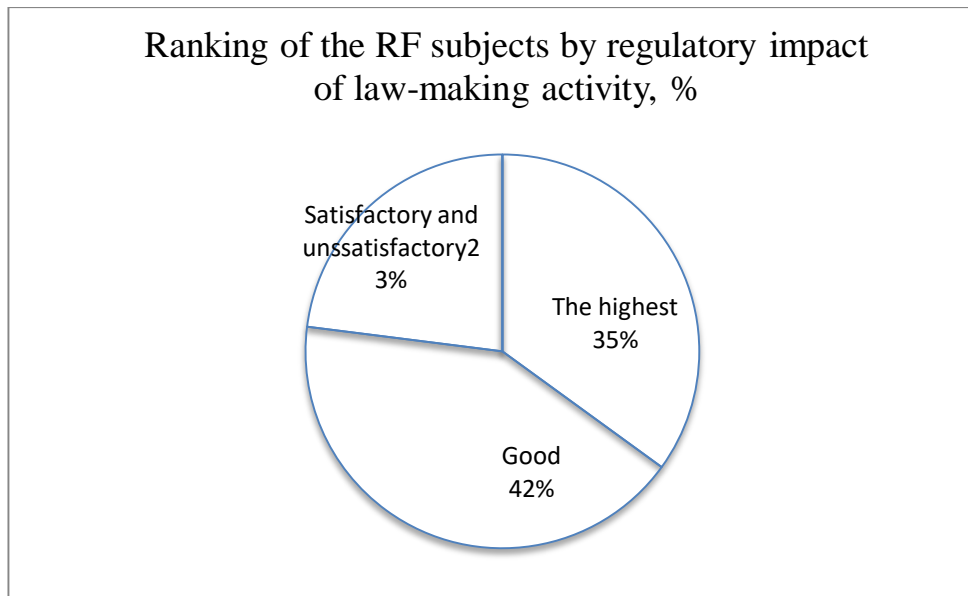


Fig. 4

Ranking of the quality of regulatory impact estimation in the Russian Federation subjects in 2018 (O razvitii...)

The aspects analyzed when forming the ranking are: legal assignment and practical experience of the Russian Federation regions in the sphere of estimating the regulatory impact; methodological and organizational support of the said institution; introducing of the regulatory impact estimation by representatives of the business community. The regions of “the highest” and “good” level were extinguished, which achieved especially significant results in organizing and implementing the estimation of the regulatory impact in particular areas (see Table 1).

Subject of the Russian Federation	Areas
Krasnodarskiy krai	effective interaction with the business community in terms of estimating the regulatory impact
Ulyanovsk oblast	using quantitative methods and analyzing the costs when implementing the regulatory impact estimation
Samara oblast	the local self-government bodies implement the regulatory impact estimation
Chuvash Republic	sharing the best practices of estimating the regulatory impact
Moscow	estimating the actual impact

Table 1

The Russian Federation subjects, which achieved especially significant results in organizing and implementing the estimation of the regulatory impact

At the same time, the ranking showed significant drawbacks in some Russian Federation subjects:

- unsystematic estimation of the regulatory impact in relation to drafts of normative legal acts, referred to the subject area of estimating the regulatory impact at the regional level;

- the need to rigorously observe the federal legislation requirements when implementing the estimation of the regulatory impact at the local self-government bodies;
- the need to improve interaction with the representatives of the business community.

Thus, the carried out analysis of informing the citizens about the prepared drafts of normative legal acts in the Russian Federation subjects showed achievements and drawbacks in the functioning of these portals in compliance with the federal center requirements.

At the same time, we identified the positive law-making practices and improved content of normative legal acts, which should be disseminated in order to promote the level of the regional law-making, both in particular subjects and country-wide.

Interregional portal of law-making activity

In our opinion, to improve law-making activity, the content of the interregional portal of federal and regional drafts of laws should be determined according to a set of principles.

The main principles, determining the content of the interregional portal, are the following:

- unification and standardization of the functional of official web-sites of the drafts of normative legal acts at federal and regional levels;
- unification and standardization of the main procedures for the drafts of normative legal acts at federal and regional levels;
- establishing the interaction between the drafts of normative legal acts at each stage: development, discussion, expertise, etc.;
- compliance of the official web-site content to the legislation of federal and regional levels.

Unification and standardization of the functional and regulation of the key procedures at official websites of the drafts of normative legal acts in the areas of joint authority at federal and regional levels will facilitate understanding and using of these resources, as well as correspondence between the content of the official websites and federal and regional legislation.

Establishing correlation between the drafts of normative legal acts at each stage: development, discussion, expertise, etc., which is insufficient at present, will enable to unite the portal data into the interregional portal devoted to the state of law-making work at all levels. Most portals already contain cross references to other regions' portals – this may become the basis for forming an interregional network. This approach may facilitate dissemination of the best law-making practices, harmonization of normative legal acts at federal and regional levels in the areas of joint authority.

Distributed registry system

The use of rapidly developing innovative technologies may significantly improve the functioning of information-legal portals¹⁰ devoted to the state of law-making work at federal

¹⁰ C. Ebbinghouse, "Portals to the future of legal information", Searcher, num 9 (7) (2001): 10-15.

and regional levels. The state support rendered within the state program “Digital economy of the Russian Federation” facilitates introducing innovative digital technologies in various spheres of public life.

One of the technologies listed in the said state program is the distributed registry systems. Portals' functioning based on its principles will speed up information exchange between the users of that system, at the same time enhancing its safety.

The European experts¹¹ define the distributed registry system as a new form of information technologies, which may be considered as a common digital register, i.e., an unchangeable (read-only) register of recordings with time, used: on decentralized basis by a single-rank network of non-affiliated parties; through preset agreement mechanisms instead of a central authority; with digital ciphering (cryptography) to prevent editing or falsification of the recorded information.

The capabilities of the distributed registry systems for storing and disseminating information are shown in Fig. 5.

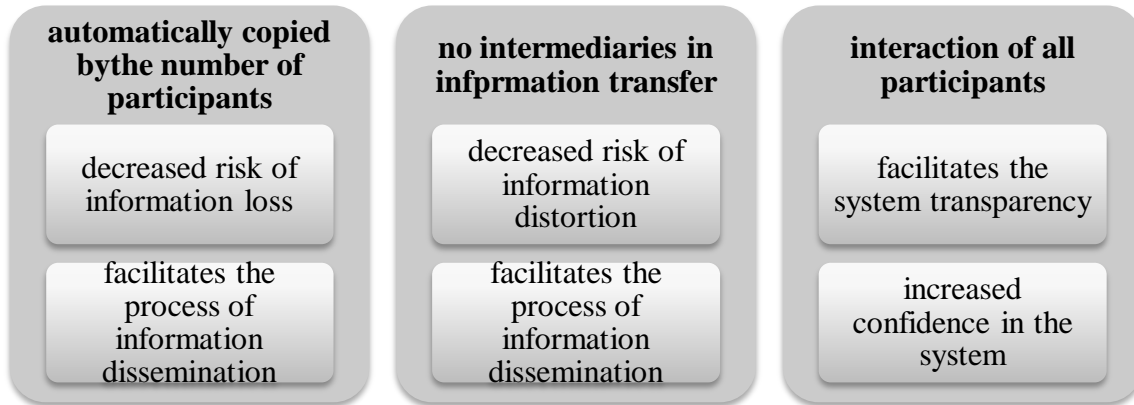


Fig. 5

Capabilities of the distributed registry systems for storing and disseminating information

The participants of the portal, functioning on the basis of such technology, are usually divided into three categories: administrator, validator, and user.

In this case, an administrator is considered to be an indispensable element of the portal, coordinating the system, establishing the rules of information placement and the protocol of interaction of all participants.

In the standard platform, there is a validator, who carries out the consensus procedure in the system. In this case, these functions may be performed by a developer, placing not only a draft of a normative legal act but also the results of all procedures (discussion, expertise, etc.). It is expedient to divide the users into two categories: those participating in the development (discussion, expertise, etc.) procedures and those viewing the information placed in the portal. For the first category, registration procedure is obligatory, for the second – it is not.

¹¹ Blockchain, DLT and the capital markets journey. Navigating the regulatory and legal landscape. Retrieved 25.07.2018 from: [http://www.ey.com/Publication/vwLUAssets/ey-blockchain-dlt-and-the-capital-markets-journey/\\$FILE/ey-blockchain-dlt-and-the-capital-markets-journey.pdf](http://www.ey.com/Publication/vwLUAssets/ey-blockchain-dlt-and-the-capital-markets-journey/$FILE/ey-blockchain-dlt-and-the-capital-markets-journey.pdf)

Introduction of new technologies will facilitate the development of interaction between federal and regional authorities, as harmonization of the Russian legislation will start with developing the normative legal acts at all levels.

Conclusion

New opportunities yielded by scientific and technological advance actualize the promotion of the legal culture of law-making process¹², as well as the legal culture of citizens, which is a condition of the country's progress under new social-economic circumstances. The degree and quality of the legal awareness of the citizens about law drafts in various spheres of state activity are the evidence of democratic processes in the society: its openness and broad publicity. The principles of forming and maintaining the information-legal portals, proposed by the authors, will enable to:

- integrate the data of regional portals into an interregional portal of the state of law-making activity at all levels;
- eliminate disharmony of normative legal acts at federal and regional levels in the areas of joint authority;
- facilitate understanding and using the said resources;
- accelerate the dissemination of the best law-making practices.

Transfer to new technologies will promote interaction between federal and regional authorities, which harmonizes the federal and regional legislation. The proposed complex of measures for maximally rapid and accurate legal information transfer to the country's citizens will facilitate its sustainable development.

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¹² E. G. Bagreeva, "Legal culture of law-making and legal issues of ecological safety in the sphere of transportation complex", *Yuridicheskiy mir*, num 6 (2019).

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