

GENERAL REGULATIONS OF THE ASIAN, WESTERN AND AFRICAN WAYS OF STATE EMERGENCE

Boris A. Barabash, Candidate of Law Science, The adviser of the president Ukrainian Union of Industrialists and Businessmen (Ukraine).

E-mail: borisbarabash1958@gmail.com

DOI: 10.32342/2709-6408-2023-1-6-1

Key words: state, philosophy, theory of the state and law, theories of the origin of the state.

In this article, the author made an attempt to reveal the general laws of the emergence of the state and considered three theories (Asian, Western and African) that are known to modern science. For this purpose, an analysis of classical sources was carried out, which is always important and useful. After all, it is the analysis of philosophical works devoted to the emergence of states that is special in this context, because it is this approach that gives modern science the opportunity to compare its research with the highest level of world scientific thought.

It is proven that outstanding philosophers and legal scholars devoted many scientific works to the study of the problem of the emergence of the state and law. However, it should be noted that the modern world treats such fundamental works somewhat superficially. It is believed that the trends inherent in the modern stage of the development of civilization, with their speed and multi-level globalization, make the philosophical heritage either unnecessary or not relevant. The author's position is based on the fact that such a point of view has nothing to do with the scientific approach - because, as is known, new things appear only on the basis of old knowledge and experience. After all, even King Solomon said about this: "What has been, will be, and what happened, will happen, and there is nothing new under the sun. It happens that a person will say: "Look, this is new!" - and it was already before, before us." So, the scientific novelty of the article lies in the fact that the author examines the scientific and philosophical aspects of the emergence of the state from new positions. Therefore, various sources of references, an original view of the problem can become interesting and useful for the reader and researcher. At the same time, the complex of knowledge about the emergence of the state is not limited to the material presented by the author, because it is limitless. But it is very important to consider the main theories and trends outlined in the article. They can provide an impetus for solving modern problems and respond to the challenges of the times.

References

1. Lenin, V.I. (1920). *Derzhava i revoliutsiia* [State and revolution]. Vienna, Circle of Socialists. 112 p. Available at: https://hromadalib.files.wordpress.com/2019/02/lenin_1920_derzhava.pdf
2. Aristotel (2000). *Polityka* [Politics]. Kyiv, Basics Publ., 239 p.
3. Chiefdom (anhl.). «Chief» – nachalnyk, «dom» – vladenye, hospodstvo; sr. «kingdom» – korolevstvo.
4. Beard, M. A History of Ancient Rome. Bevin Way; London: 2015. Available at: https://www.academia.edu/37825909/A_History_of_Ancient_Rome_Mary_Beard
5. Shillington, Kevin (2005). *History of Africa* (Revised 2nd ed.). New York City: Palgrave Macmillan
6. Buttner T. Geschichte Afrikas von den Anfängen bis zur Gegenwart Akademie-Verlag. Berlin, 1976. 250 p.
7. Hehel, Georg Vilhelm Fridrikh (2000). *Osnovy filosofii prava, abo Pryrodne pravo i derzhavoznavstvo* [Fundamentals of the philosophy of law, or Natural law and political science]. Kyiv, Univers Publ., 336 p.
8. Hehel (2011). *Politychna entsyklopediia* [Political Encyclopedia]. Kyiv, Parliament Publishing House, 129 p.
9. Heorh Vilhelm Fridrikh Hehel. *Biohrafiiia* [Biography]. Available at:

<http://www.people.su/ua/26976>

10. Halas, V.I., Popovych, T.P. (2017). *Heheliivske rozuminnia prava u konteksti yoho filosofskoi systemy* [Hegel's understanding of law in the context of his philosophical system]. *Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Serii Pravo* [Scientific Bulletin of the Uzhhorod National University. Law series]. Vol. 42, pp. 247-252. Available at: <https://visnyk-juris-uzhnu.com/wp-content/uploads/2020/12/No.42.pdf>

11. Hehel. Russel Bertran (1995). *Istoriia zakhidnoi filosofii* [History of Western philosophy]. Kyiv, Osnovy Publ., pp. 599-650. Available at: <http://litopys.org.ua/russel/rus12.htm>

12. *Piat Mehilot y Hagada shel Pesakh* (1998). [Five Megilot and Hagada shel Pesach]. Yerusalym, Shamyр, 167 p.