

Секция 5

МЕТОДОЛОГИЯ МЕЖДИСЦИПЛИНАРНОГО СИНТЕЗА: ИННОВАЦИОННЫЕ И ЦЕННОСТНЫЕ ОРИЕНТИРЫ

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THE ESSENCE OF THE PROCESS OF BIFURCATION IN LAW

СУЩНОСТЬ ПРОЦЕССА БИФУРКАЦИИ В ЗАКОНОТВОРЧЕСТВЕ

В статье рассматриваются основные понятия синергетики, такие как бифуркация, хаос, неустойчивость, нестабильность, применительно к процессу законотворчества.

The center of attention of legal science has always been the problem of law-making. The problem of quality of law, the efficiency will never lose its importance and relevance.

The legislative process can be described by using specific concepts and categories of synergy. This contributes to a better understanding of the number of problems that have both theoretical and practical importance for the improvement in the lawmaking process.

The existence of these characteristic features and contributes to the emergence of different kinds of accidents, the impact on the legislative process cannot be assessed unambiguously. Their influence can be positive, negative or even neutral in relation to the quality of adopted laws. In order to obtain a relatively holistic view of the nature of the influence of chance on the law, refer to this category of synergy, as a bifurcation.

V. I. Bransky notes that the social thesaurus (a set of alternative social structures) are created social bifurcations. They can be periodically observed in all societies, social crises. Society as a social system in this case is in an unstable state, is fraught with social explosion, inevitable change — a revolution. Such a crisis plays a role in global bifurcation. She usually is prepared for crisis situations (local bifurcations). The resulting mismatch of the old social structure a new social elements generates in the public mind a set of ideas about the possible options for a new structuring of society [1, p. 119].

The laws may not only contribute to the alleviation of social bifurcations, but on the contrary, their aggravation. In this case, the law itself acts as a source of bifurcations. This happens in cases of adoption «sub-standard» laws and bills.

The instability of the legislation promotes the adoption of quality laws. Instability means that there is no predetermination as to what social interest groups will receive legislative confirmation.

The law acts as the scene of the collision and struggle of social interests. The legislator, who seeks to solve a particular problem, usually, is in the midst of the collision of opposing social interests, who claim to be a legislative recognition and approval. For example, the adoption of the Decree № 3 of President of the Republic of Belarus from 02.04.2015 «On the prevention of social dependency» [2] has attracted sufficient interest from the public. is still a topic for debate in media.

The instability cannot be assessed unequivocally negatively. Although it contributes in some degree to the adoption of poor laws, but at the same time acts as a condition of effectiveness of the legislative process.

As example, the annual message of the President of the Republic of Belarus to the Belarusian people and the National Assembly. Technically speaking as a political document in which the President draws the attention of the National Assembly of the Republic of Belarus on the most topical and urgent problems faced by society and the state. In real life, the message acquires the features of a source of law. All of the most important accents in the address and they are instantly reflected in future bills.

The instability with respect to lawmaking emphasizes its instability from the point of view of the quality of the final result of the law, and on the other — characterizes the process of adoption of the bill.

Literature

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ИСПОЛЬЗОВАНИЕ ПОДХОДОВ ЭКОНОМИЧЕСКОЙ ТЕОРИИ ДЛЯ ФОРМИРОВАНИЯ КОНЦЕПЦИЙ ПРЕДМЕТОВ ПОЗНАНИЯ В КОНКРЕТНЫХ ЭКОНОМИЧЕСКИХ НАУКАХ

Правильная формулировка предметов познания в экономических науках имеет важнейшее значение для организации научного и практического экономического исследования в масштабах общества. Формулировка предметов призвана обеспечить полноту исследования, рациональное разделение труда между его отдельными видами и эффективный обмен между его результатами.