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Signs of State and Their Historical Modifications

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Abstract

This study considers various historical types of the state and implementation of their universal characteristics by implementing a comparative analysis. It is shown that the traditional state had a private-law basis; a basis of the states of modern type is the public law; in the traditional state the territory acted in the form of the earth belonging to the state on the right of the supreme property; in the modern state - as geographical space to which its power extends; supremacy of the traditional state was shown in the form of sovereignty, and the state of modern type - sovereignty; the power of the traditional state has property (personal), and the modern state - political (public) character. Historical types of the state differently realize its universal characteristics, getting the special signs which are *historical modifications* of these characteristics in the course of evolution.

Keywords: The State, Definition of the State, Statehood, Government, Sovereignty, Political power, Political nation, Imperium, Dominium, Essence and legal nature of the State, State power.

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Introduction

The universal (patrimonial) concept of the state possesses a number of the signs belonging to it at all stages of historical development of statehood. It is useful to track as the specified signs in process of emergence in public consciousness of the new relevance more adequately answering to the conditions of social experience acquired in process of evolution of the state changed.

It is known that the territory acts as the integral sign of the modern state, setting its geographical limits (Belyakovich, 2006). The most important characteristic of the territory should be considered the fact that it represents uniform space to which the state sovereignty extends and where laws work. The territory, besides, *is inseparable* that is shown in the ratio the given category with a concept of the earth as object of property rights of individuals. The last can belong (and, really, belongs) to a great number of subjects on the property right; however in modern conditions it does not lead to crushing of sovereignty between owners.

Thus, the territory as public category is opposed to the land plots considered as objects private now (civil and land) is right, being, unlike the land plots, a concept considerably abstract and static. So, the land plot, proceeding from Art. 11.1 of ZK Russian Federation (in edition of the Federal law of 19.07.2011 No. 246-FZ), should be considered a part of the land surface which borders are defined according to federal laws. At the same time the Land code establishes that in cases and as it should be which are established by the federal law the artificial land plots can be created.

Therefore, the land plot, first, represents not just abstract part of space, but is connected with the Earth's surface, with its soil depending on which the land plots can carry out various economic appointment (p.1 Art. 7 of ZK Russian Federation). Respectively possession and use of the land plot can be carried out, proceeding from its purpose that follows, in particular, from Art. 284 of the Civil Code of the Russian Federation. Secondly, the land plot does by an object of property rights of citizens and the organizations its isolation from other objects, existence of the borders established according to the current legislation. Abstractness and static character of a concept of the territory, on the one hand, and indissoluble communication of this concept with public law and its categories (first of all category of sovereignty), with another, are well visible on the example of the modern Russian legislation. So, according to Art. 1 of the Act of the Russian Federation "About Frontier of the Russian Federation" of April 1, 1993, frontier is the line and the vertical surface passing across this line, the defining borders of the state territory (sushi, waters, a subsoil and airspace) the Russian Federation, that is a spatial limit of action of the state sovereignty of the Russian Federation.

In other words, the territory of the state is undividable; it covers itself not only the land surface, but also subsoil, air and water spaces and sets geographical limits of distribution of interstate sovereignty as supremacy of the public power, promoting its transformation out of these limits in sovereignty understood as independence of other countries. Thereby the territory of the modern state as if "comes off" the natural, natural territory which is the habitat of the person and human communities. Taking into account that circumstance that such natural territory (and if to speak more specifically, the earth) as we saw formed a material substratum of the ancient and medieval states this fact should be considered as one of manifestations of a depersonification of the state during its historical evolution.

At the same time the similar perception of a territorial sign of the state corresponding to that its relevance which is set by spiritual culture of modern (industrial) society took place not always. In the primitive and traditional societies which were guided by other system of relevance, understanding of the territory (and, as a result, a territorial sign of the state) was in many respects other, only partly coinciding with modern understanding, and partly qualitatively differing from it. Owing to this fact, speaking about the territory of the traditional states of the Ancient world and the Middle Ages, on the one hand, and about the territory

of the modern state, on the other hand, we talk about not quite identical things.

Review of literature and historical practice

Already in primitive pre-rural communities (Paleolithic and Mesolithic hunting and gathering societies) territoriality was shown in a special way (Kabo, 1986). The community considered the territory not "locus" per se, but only *that its part from which it was possible to take means of livelihood*, i.e. the hunting woods, places where edible plants, reservoirs, pits rich with fish abounding with the stone suitable for production of tools, etc. grew. These subjects to economic operation (use in legal sense) were considered as the territory which had borders which violation by strangers was not allowed (Howitt, 1904).

Quite often such borders were designated by special signs. For example, at the forest living in the south of the lake of Sri Lanka, the hunting territory was marked with the images of the person which are cut out on bark of trees with the tense onions (Seligmann, 1911). At the same time the territory was perceived by primitive consciousness through a prism of mythological, totemic ideas, contacting an area of dwelling of the mythological progenitor totem of this community. The specified circumstance was comprehensively illustrated by researchers on the example of the Australian natives (Schott, 1960; Berndt, 1970; Peterson, 1975) at which, according to V. R. Kabo's (1986) remark, people, the earth and myths were closely bound with each other. Others speak rapidly territories of a primitive community, economic value for it not having, strictly it was not marked and it was available to all neighbors, except those who were ready with obvious hostility. All this demonstrates, in our opinion, that already in primitive (pre-rural) society the earth begins to be considered not as a certain abstract "area of dwelling", and as quite concrete object of use, and then and the property rights.

At the same time the community, as a collective present-exchange, could grant the right to trade in the territory to other, friendly communities that was explained not only by reasons of mutual benefit, but also impossibility to provide absolute inviolability of the territory, especially during those periods when at neighbors own resources were exhausted. However all claims of a community extended as it was already noted, only on *household useful* sites of the territory, without affecting it in general. So, for example, the African Bushmen, being nomadic hunters collectors, showed the total indifference to earth per se, speaking: "What's the use in the earth which is not bringing some food? It cannot be eaten" (Marshall, 1976). It is thought that rather plausible explanation for this phenomenon was offered in due time by the French anthropologist L. Levi-Bryul (2002) pointing to especial concreteness, concreteness of thinking of the primitive person which is turned mainly to the things and the phenomena making the purpose of his daily cares.

Over time Levi-Bryul's concept underwent active (and partly justified) to criticism from the anthropologists reproaching him with Eurocentrism and a unilinear evolutionism, indicating underestimation by the researcher of abilities of the primitive person to abstraction and formal and logical generalizations. Despite it, nevertheless it is represented that generally L. Levi-Bryul's conclusions are correct especially as to the similar conclusions send finally (Vygotsky & Luria, 1930), and also other representatives of cultural and historical school in psychology (Tulviste, 1988; Cole, 1997). It is important to emphasize that specifics of such relation of the primitive person to the earth were caused not only features of the appropriating hunting-gathering managing, but also - first of all - the totemic religious representations existing in primitive society.

Such relation to the territory remains also in agrarian early state societies of the Ancient East. Certainly, with transition from hunting and collecting to agriculture (that is, in a broader sense, from the appropriating economy to making), the relation to the earth begins to change including under the influence of the changed religious representations. Now value is found not only by those its sites on which there is already

a food, but also all it per se, and, nevertheless, perception of the territory of the state as lands, i.e. an object of property rights, remains still long time. In particular it extremely was characteristic of the Roman right, as we know, being the most technically difficult and advanced legal system of antiquity. Meanwhile in the Roman right there were institutes looking the obvious remnants, relicts which remained from early state (or even pre-state) eras which was unable to overcome the state obviously.

It is, in particular, about the well-known *Rhodes law* (lex Rhodia de iactu) which subsequently was a part of the Byzantine collection known under the name the Sea law made in Byzantium in the VII-VIII centuries and which reached our days in the form of the annex to the Eclogue of the emperor Lev III (about 726 g) (Ashburner, 1909). According to this law, inhabitants of coastal areas had the right to take control of the objects which are thrown out from the ships during a storm or remained after ship-wreck. According to the Roman right (D. 14.2.2 pr.), the losses suffered thus were distributed between passengers of the vessel. It is obvious that the Rhodes law was designed to regulate somehow those rights which were granted by custom to the inhabitants of the coast who had an opportunity, according to common law, not only to take the goods which got to the sea from the crashed vessels but also to plunder the vessels beaten by waves to the coast (Kreller, 1921).

Ancient Greek, Roman and Byzantine speakers and writers repeatedly reported about numerous cases of such piracy. In Digestakh Justinian the response of the emperor Antonin Pius to a certain Evdemon Nikomed's inquiry is quoted: "Evdemon Nikomed's application to the emperor Antonin: "About the lord, the emperor Antonin, having made swimming to Italy, we were robbed by public servants - inhabitants of Kikladsky islands". (Emperor) Antonin told Evdemon: "I am a lord of the world, and it is the law of the sea. Under the Rhodes law sea cases as our any law does not contradict it are considered". The same was judged also by divine Augustus. Not incidentally to protect the first attempts sea vessels from encroachments became such in an obvious contradiction with the Roman right to be undertaken only in the Middle Ages (Dyuvernua, 2004). But also then, first, such attempts were single and coexisted with other practice, namely the legalized robbery got to ship-wreck, can be an example of what the French king Philip V of 1319 according to which "the king of France receives two thirds of the remains of the ship-wrecks which are thrown out on coast of Garonne and Tarn, and other third belongs to abbots and monks of Moissac" (Desmaze, 1867).

Secondly, it was reached by equating of a legal regime of the sea with the mode of the land surface and declaration of the right of a sole property of the state for sea waters. However it should be noted that Gugo Grotsy working in specific conditions of modern times was one of the first lawyers who tried, at least in the theory, to plan distinction between the territory and the earth. The similar situation remains up to the end of the XIX century when the so-called spatial concept of the territory according to which the territory, as well as territorial supremacy, represents public category and is not an object of property rights gained distribution in science of international law (Baburin, 1997). Meanwhile even at the beginning of the 20th century old (private-law) representations were so steady that in one of decisions of the Ruling Senate of the Russian Empire (1905) directly it was told: "Sea waters, making property of the state, are not subject to private possession. Use of them is free for all; exceptions of this rule are allowed only by the special rule or according to the special privileges granted by the Supreme power" (Tyutryumov, 2004). Thereby in the decision the right of state ownership and the right of private use of sea waters as two property and legal categories were differentiated, on the one hand, and the state sovereignty over the sea water area was brought out of the right of state ownership for it, on the other hand.

Discussion

Though the territorial sign also remains invariable both in traditional, and in the modern state, actually in

the first and in the second cases territoriality has different value that allows to consider the territory of the states of various historical types (in particular, the traditional and modern state) as various *modifications* of the same general (patrimonial) sign. Therefore it would be much more correct to speak about the territory, in her modern understanding and public supremacy over it as about signs of the states of modern times while as a material factor of traditional statehood territory per se, how many the earth acted not so much what it there was already a speech earlier about. As we saw, formation of a concept of the territory makes rather long evolution; the jurisprudence far comes not at once to awareness of properties of this phenomenon. The first attempts such were made not earlier than the XVI-XVII centuries by N. Machiavelli, J. Boden, G. Grotsy, etc. There are all bases to believe that they also designated the beginning of that transition from the traditional state to modern which in Europe came to the end only by the XIX century, and here and there proceeds and still.

To be fair, it is necessary to notice that in literature attempts to see territoriality even in the traditional state become (Foucault, 2011). Nevertheless, this conclusion is supported with not all sources. So, for example, in Guillaume de la Perier's treatise (Dexter, 1955; Sciacca, 1989) it is said that management is the reasonable order things which undertake to conduct up to achievement of the appropriate purpose by them (La Perrière, 1555). Commenting on it, M. Foucault is forced to recognize that La Perrière "wants to tell the following: defining management, it needs to be correlated *not to the territory at all, and to some kind of complex formed by people and things*. And from this it follows that in what the governor has to be engaged, are people, but people taken in all variety of their communications, the relations and the closest interactions with things" (Foucault, 2011).

In effect, such way of dominion was characteristic of the traditional state which power extended not to territory per se, but to people in their indissoluble communication with the earth. That is why, from our point of view, for the traditional state the territory had no so essential value, as for the state of modern type. And for this reason a special role when determining the traditional state is played by *the population* forming its material substratum. In fact, the power of the traditional state is, first of all, its domination not so much over territory per se how many over citizens, persons living in this territory. This property visually proves in such kind of the traditional state as *the empire*.

The most important feature of the empire, in our opinion, is that its power extended not so much to territory per se, how many to the population (citizens of the empire) where it would not live. At the empire of a territorial sign paid attention to weak expressiveness still G.W.F. Hegel for this reason refusing to the empire an opportunity to be considered as the state (Hegel, 1973). With this statement of the German philosopher form an expressive parallel of the statement of the modern historians speaking about existence of basic distinctions between the empire and the territorial state of modern times and believing that empires "show more large-scale and heterogeneous structure", than the territorial (national) states.

In other words, the empire, contrary to modern territorial (national, ethnonational) to the state, represented a way of the organization *not of territorial, but personal domination over citizens* that, in fact, are reflected in semantics and etymology of the word imperium. That is why we cannot recognize, in particular, correctness of the statement which is quite often stated in legal literature according to which the empire represents itself a kind of a form of the territorial device (Jelinek, 2004). Actually the question of the place taken by the empire in classification of elements of a form of the state is difficult and insufficiently well studied that, in addition, is explained by absence at empires of analogs in the modern world.

It is also necessary to note that a similar phenomenon of a confinedness of the government to the population, but not to the territory it is possible to observe not only in empires, but also in many other traditional and protomodern states. As we saw, this feature was fully inherent in antique policies and the

old-oriental states. Moreover, even in such, apparently, purely territorial educations which medieval Western European senor monarchy, the power of the king were, formally extending to one and all citizens, it was territorially localized only within the domain belonging to him on the right of feudal property. Not incidentally, therefore the French king long time carried the title rex Francorum, the king of French, but not the king of France (Grous, 1968). Only in 1204 Philip II Augustus for the first time accepts the title rex Franciae, and since 1205 the name Regnum Franciae begins to be used. However and after that during very long time (up to the end of the 15th century) kings continue to remain the Supreme monarch of the French nation, but not sovereigns of the French earth.

Six centuries later the similar situation was recorded by the Organic Sénatus-consulte of May 18, 1804 which established the First Empire in France. At the same time Art. 1 of Sénatus-consulte was formulated as follows: "Management of the republic is entrusted to the emperor who accepts a title of the emperor of French" (Grous, 1968). In other words, the imperial power belonging to Napoléon I was constituted in this case as having distribution not so much on the territory of state per se, how many on the French people. Similar provisions contain also in the Organic Sénatus-consulte of December 12, 1852, and also the Constitution of the Second empire (Volkov, 2009), establishing Napoléon III's power. It is remarkable that Napoléon III in performances on a colonial question distinguished the power over French as purely personal from the power over colonies as having territorial character (Hardy, 1928).

It is obvious that the population was one of the most essential signs of the traditional state which, after many theorists of the past, can be defined as the "corporation of persons" including managing directors and operated. However in modern conditions as we saw, the understanding of the state as communities of the people submitting to the political power in a certain territory enters an obvious contradiction both with doctrinal provisions, and with daily practice in which the state is most often perceived through the bodies and officials, that is appears as *the organization of dominion* (Ross, 1960). That is why along with the signs of the territory and the population which are historical correlates; the universal definition of the state includes two more others, namely - supremacy (sovereignty) and public character.

The government during any era and in relation to any historical type of the state has supremacy which with the known share of convention it is possible to call sovereignty. However the government gained sovereignty in its modern value only during an era of Modern times when the state of modern type begins to develop (Levin, 2003). Actually, and the concept of sovereignty, as we know, was for the first time introduced into circulation only in the 16th century by Zh. Boden seeking to prove theoretically with his help supremacy of the king over feudal lords, on the one hand, and independence of the French monarch of the emperor of the Sacred Roman Empire trying to impose it the supremacy from other party (Kistyakovsky, 1998). Otherwise the situation in the Middle Ages, especially in Western Europe where any state had no full and unconditional supremacy in the territory was, but at the same time could apply at the same time for supremacy beyond its limits (Bryce, 1978). The similar situation was connected with a particularism, characteristic of the medieval European right, and the relations of vassal-sovereignty existing not only in the states (between the king and feudal lords) but also in the interstate relations.

In medieval Western Europe supremacy of the government had a number of features and - that is remarkable - was based on the right of the Supreme property of the state in the person of his governor on that territory over which this supremacy extended. At the same time it is necessary to emphasize that in the conditions of traditional society where all social phenomena (including the state) had much more concrete and personified character, than today, the speech did not go and could not go, about supremacy of the power of state per se.

If the governor (the German emperor, the king of England or France, etc.) applied for supremacy outside the domenial possession, then it was its *personal supremacy* which was stopping at the time of death and

renewing only in case governors of the respective territories agreed to take the oath of fidelity to his successor (at least such oath-homage and had purely nominal character). At the same time nothing interfered with the governor who brought homage subsequently to begin war with the formal suzerain. So, in 1328 the king of England Edward III took the oath to fidelity on behalf of the personal duchy Giyeni to the French king Philip VI, however in 1336 he launched war for the French throne.

Still the concept of sovereignty possessed a big qualitative originality on traditional (in particular, medieval) the East. The specified circumstance gave the grounds to L. B. Alayev, to draw a conclusion that sovereignty "both historically and civilised has very various contents. By no means has it included the right for collecting a tax, not to mention others... the rights doing "sovereignty" of east state to almost boundless. In these conditions "the state sovereignty", or "the state supremacy over all territory of the state", - and "the Supreme property of the state on the earth" it is almost indiscernible" (Alayev, 2002). Thus, we see that at least in very many (if not in all) traditional laws and orders the government and its supremacy was based on property proprietary land rights as which carrier the governor acted or - if it is about the republics - civil collective. It is represented that this property is not least connected with historical specifics of signs of the traditional state, in particular, of the territorial sign considered earlier.

At the same time supremacy of the power of the governor in the traditional state had rather peculiar character: it resulted from that circumstance that the state and the domain of the monarch in the territorial relation long time did not coincide. And if over the domain the monarch had direct proprietary rights that transferred his power to especially private-law plane, then in all other territory he acted only as the Supreme owner-monarch. Thus, we see that we in the traditional state the power of the governor as the Supreme suzerain and the power of the sovereign as owner of land (or, using terms of the Roman right, the power-imperium and the power-dominium) substantially coincided.

As for public character of the government, explanation of the fact that there is a public power and what it differs from "non-public" also in presents very serious difficulties in view of a polysemy of the most used term. Really, even in modern conditions differentiation of private and public aspects of domination becomes possible as a result of the known theoretical abstraction from their external manifestations which are considerably identical in both cases. For the traditional public consciousness which in many respects kept especially at early stages of the evolution, that concreteness which noted in relation to thinking to primitive L. Levi-Bryul such extent of abstraction was uncharacteristic? Not incidentally even in the 16th century the state, behind very rare exceptions (Cassirer, 1946), contacts the identity of the governor. All earlier told, and in particular the especial concreteness, "concreteness" of thinking peculiar to traditional public consciousness, also specifics of dominion in the traditional state speaks.

It, like the power of any other owner, has especially personal character, proceeding from the specific subject (governor) or from civil collective. At the same time, as a rule, there were no special bodies which were carrying out powers of authority on behalf of the state as institute. Realization of imperious functions was assigned to the individuals obliged to a suzerain by personal devotion and related any complex property and obligations (i.e. besides private-law) the relations on the basis of which public domination was carried out.

To that we see confirmation in Ancient Mesopotamia where representatives of imperial administration (for example, in Ur during an era of board of the III dynasty) including the most high-ranking, treated the category of the imperial servants receiving for performance of the corresponding duties allotments from the land fund belonging to the tsar on the property right. Legally they, it is similar Babylon *muskenum*, belonged to the category of persons, restrictedly capable, though held a privileged position in society. In a similar way in imperial Rome in the 1-3rd centuries AD the administrative state was formed of number of the slaves and freedmen of the emperor belonging to his familia. In the same way the situation in early

medieval Germany (and other early feudal states) was where performance of administrative functions was assigned on so-called *ministerial* - not free servants of the king or the emperor. The similar combination of private and public elements of dominion generates the effect noted still by M. Weber, according to whom in the traditional state "along with system of traditional, absolutely sacred norms... a free arbitrariness and favor of mister work" (Weber, 1994). It is obvious that this "system of provisions", enshrined mainly in custom, distribution of property rights and duties whereas "an arbitrariness and favor of mister" were shown in the sphere of political domination regulated.

With approach of modern times, at first in Western Europe, and then gradually in the rest of the world there is a change of the social and spiritual conditions which put an end to traditional type of statehood. Under the influence of a number of circumstances there is an emancipation of the person, his isolation from those social structures (a family, a community, church, etc.) which defined his everyday life earlier, performed life-supporting function, in exchange subordinating the subject of the patriarchal power and to the authority. Besides such structures gradually fall into decay and or cease to exist, or significantly narrow limits of the influence on the individual and society in general. Thereby there are prerequisites for atomization of society, its disintegration on a great number of independent individuals, quite often connected with each other only in the external way (Tönnies, 2002).

Way of overcoming detailed atomization is *civil society* acting as a social basis of the modern state. In historical conditions New Age acts as the sphere of different concentration of private, first of all property, interests of subjects. The differentiation of public and private-law, aspects of law and order typical for modern society and influenced change of character of the government becomes result of separation of civil society from the state, their *relative isolation* from each other. The last more and more begins to differ from private-law (economic) domination in the will and in the interest. The public power in the modern state is implemented not in interest of the state as owner any more, but for the benefit of all society in general and each of his members separately. It is caused by the fact that a main objective of functioning of the modern state is ensuring realization of common interests of members of civil collective with whom it is connected by various legal relations.

At the same time not only interest, but also will of the state of modern type represents the known fiction. It is connected with modification of the organization of the government which occurred during an era of modern times and expressed in emergence *of the government* performing public and imperious functions. For the correct understanding told important to emphasize that the certain organization (administrative personnel) which is shown among other is inherent in any state (including to the earliest), in system of the officials who are carrying out administrative prerogatives, however these officials (who are in the service of the state) as it is represented, were not *public servants* in modern value of this term yet. In effect, the similar situation takes place and today as appears from a number of provisions of the current legislation of Russia (Art. 2.4-of a comment of the Code of the Russian Federation on Administrative Offences, item 3-of a comment of 1 Art. 285 of the Criminal Code of the Russian Federation, item 5 of Art. 4 of the Federal law "About an Order of Consideration of Addresses of Citizens of the Russian Federation"), and also conclusions formulated in legal literature where categories of the official and the public servant are substantially differentiated (Noskov, 2008).

However in the traditional state the legal basis of activity of such officials has qualitatively other character, than in the modern state. As it was noted earlier, being the governor sovereign's employees, they are connected with him not the state and office, but personal, including property relations which are based on private law. Only in the modern state the institute of public service as professional office activity for the benefit of not any certain (private) persons, and state per se is finally registered. This institute having public character also acts as a basis of functioning of government in modern value of this term. This circumstance, in our opinion, is explained by the known modification of the government coming in the course of evolution

of the state and its movement from traditional type to modern.

Really, when we spoke about the power in the traditional state, we saw that it is always possible to establish the specific subject to which it belongs. The will is also will of the state. Meanwhile the power of the modern state has not just universal, extending to all society in general, but also *depersonalized character,* it proceeds not from the particular person, and from state per se understood as *the organization* (Weber, 1994). At the same time in the public sphere the modern state has no the legal personality even in that rather narrow, target sense in what it is recognized behind them by civil law. The specified circumstance was noted, in relation to constitutional right, in particular, by M. P. Avdeenkova and Y. A. Dmitriyev (2005), and in relation to administrative law Yu. N. Starilov et al. (2004).

Noted features have also many theorists, in particular A. S. Alekseev according to whom the modern state represents the organization public, but not personal (as that was earlier) emphasized dominations (Alekseev, 1894; 1910). Also B. A. Kistyakovsky writing about impersonality of the power of the modern constitutional state in which, according to the scientist, "not persons and the general norms dominate" holds the similar opinion (Kistyakovsky, 1998). It is necessary as we saw, to bring this impersonality of the public power of the modern state out of existence of non-personal government with the advent of which there is a final office of the modern state as public education from civil society and its institutes.

Conclusions

Historical types of the state differently realize its universal characteristics, getting the special signs which are *historical modifications* of these characteristics in the course of evolution. So, the traditional state had a private-law basis whereas a basis of the states of modern type is the public law. In the traditional state the territory acts, first of all, in the form of the earth belonging to the state on the right of the Supreme property while in the modern state - as geographical space to which its power extends. Supremacy of the traditional state is shown in the form of sovereignty, and the state of modern type - sovereignty. The power of the traditional state has property (personal), and the modern state - political (public) character. At last, the management personnel in the traditional state consisted of the officials connected with monarch the property relations and personal devotion, and in the states of modern type - of the public servants connected among themselves (and with the state in general) the public office relations. On the basis of told simply to show that the corresponding modifications have signs of the state and other historical types (namely the protomodern, quasimodern and post-modern states).

Therefore, the universal (general) concept of any phenomenon, including the state, performs very important function in its knowledge, indicating that necessary intrinsic basis which - despite all evolutionary changes - is possessed by the corresponding phenomenon and which provides it, so to speak, identity to. Consideration of this intrinsic basis is an important research problem of the state in its evolutionary aspect as allows to separate theoretically what from the moment of emergence is necessary is inherent in state per se and, therefore, steadily, from what is introduced in the course of historical development and, so, is changeable and passing.

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