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Nationalism: Essence, Issues of Prevention and Counteraction in Bodies and Institutions of the Russian Penal System

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Abstract

Introduction: the article considers problems of nationalist views that have recently arisen not only in Russia, but also in many states, which threatens stability in various regions. *Purpose:* to show that the concept of “nationalism”, being a product of modern mental civilization, is directly related to the natural and inevitable transition of mankind from life according to religious canons to life “according to their own understanding”. *Results:* the author believes that to effectively counter nationalist views in the Russian penal system, its employees should familiarize convicts with the formation of a family, clan, tribes, as well as customs and traditions. It is necessary to disseminate the idea that forcible imposition of one’s own language, culture, traditions, customs, the value world and norms of being on another ethnic group or people contradicts human development trends. The article shows that the concept of “nationalism”, due to a number of objective reasons related to the historically conditioned civilization mentality of ethnic groups and peoples, did not exist in religious epochs. *Conclusion:* the author, noting the relevance of the problem under study, points to its multidimensional nature and proposes, taking into account the results formulated in the article, to develop a special system of prevention and counteraction to nationalism in the Russian penitentiary system, with appropriate training and retraining of its employees.

Keywords: nationalism; penal system of Russia; prevention and counteraction to nationalism.

5.1.1. Theoretical and historical legal sciences.

5.1.4. Criminal law sciences.

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Introduction. Nationalism, being a product of modern mental civilization, is directly related to the natural and inevitable transition of mankind from living according to religious canons to living “according to their own understanding”, including the development of ideological founda-

tions for the creation of own sovereign states by ethnic groups and peoples. Therefore, resocialization of nationalists is fundamentally different from resocialization of all other extremists and terrorists, particularly, from re-socialization of persons with religious extremist and terrorist

views, the origins of which go back to the religious mental civilizations that are becoming obsolete.

Undoubtedly, penal system employees are obliged to know both the specifics of nationalist views and forms of their manifestation in the modern world in order to develop and apply the most effective system of prevention and counteraction to this extremely negative social phenomenon.

The urgency of this problem is especially increasing nowadays in connection with well-known events in Ukraine, where nationalist views of not only the country's leadership, but also an impressive part of the population led to tragic consequences in Donetsk, Luhansk and other oblasts, forcing Russia to launch a special military operation and include the problem regions in its composition. Today a surge of nationalist ideas is observed not only in Ukraine, but in Kazakhstan, as well as in some other post-Soviet republics [1–3]. This situation is not accidental, since it is connected not only with the process of sovereignization of the peoples of these republics, but also with the natural transition of mankind to a new civilizational mentality.

So, in accordance with the concept of three main stages of mental development of mankind, as a rule, successively replacing each other, we can distinguish mental epochs of "polytheism", "monotheism" and "scientific worldview", each of which has its own specific worldview, norms and rules of behavior, its own value world, which manifest themselves in all spheres of people's lives, starting from the relationship between family members, clan and tribe, and ending with relationships with representatives of other tribes (in modern terminology – ethnic groups and peoples) [4; 5].

In the current mental epoch, which we have called the "scientific worldview", it is human "mind" (intellect), which is fundamentally different from mental abilities and capabilities of all other "living" beings of our planet, determines not only the transition of humanity from a religious perception of the world to a scientific one, but also people's development of norms and rules of its existence [1; 4; 5].

In previous mental epochs, which were purely religious, both the perception of the world and norms and rules of their being were considered by people as given to them (sent down,

presented) from the outside by some higher forces (gods) beyond human control. According to popular beliefs, they could not be canceled or changed, but only strictly and unconditionally executed.

Research methods. A set of methods is used in the article. The first group includes logical, systemic and conceptual types of analysis of the current state of prevention and counteraction to nationalist activities in the penal system and identification of unresolved problems of resocialization of persons with nationalist views that require their own understanding and urgent solutions. The second group includes hermeneutical, comparative and exegetical methods of studying sources that determine the consciousness, cognitive abilities and behavior of modern nationalists.

Discussion. In polytheism and monotheism epochs, there were no concepts of nationalism or nationalist extremism. Moreover, they lacked the very concept of "extremism", which arose and became actively used only in the last mental epoch. In particular, it entered the speech turnover in the beginning of the 20th century, first in journalistic and then scientific literature [6].

Phenomena, which today are considered extremist and terrorist, in religious epochs, were not perceived as negative and illegal, but, on the contrary, worthy of respect and veneration. Let us recall the famous motto "For Faith, Tsar and Fatherland", widely spread during the period of the Russian Empire. Every Russian officer believed that "soul to God, heart to a woman, duty to the Fatherland, honor to no one" [7]. Moreover, the concept of "Fatherland" was closely associated with the name of "God's anointed one", i.e. the king, to whom it was God (the Almighty) who gave patronage over the state (fatherland, homeland, country).

So, in the longest era of polytheism (paganism), covering a period of many thousands of years from the very birth of humanity on earth and before the appearance of the monotheistic Torah, moral obligations acted only in relation to family members, clan and tribe, since every foreigner was perceived as a potential enemy, who could be humiliated, insulted, robbed, killed without any condescension and pity, i.e. to commit those acts that modern criminal codes of most countries of the world community qualify as crimes.

The pagans' mentality was based on their spiritual (religious) views. Since foreigners had gods alien to other clans and tribes, who were considered enemies of their own tribal gods, they, according to pagans, had to be destroyed always and everywhere. The only exceptions were the foreigners with whom peace was concluded. Other behavior was considered a renunciation of their own gods, who do not forgive betrayal towards them. It never occurred to any pagan that he/she committed an immoral act by killing a foreigner for or without a reason [1].

The famous researcher of the life of ancient people N.D. Fustel de Coulanges writes that "there were no such concepts as fair or unfair in relation to a foreigner" [8, p.207]

In the mental era of monotheism, with the appearance of the concept of one God for all people of the earth and people's origin from one ancestor – Adam, the boundary between friends and strangers, enemies and brothers was laid down not only between monotheists and pagans (polytheists and idolaters), but also between the monotheists themselves, who differently interpreted the postulates of faith in One God. The irreconcilable struggle between different monotheistic religions and movements for the "correctness" and "wrongness" (depravity, sinfulness) of faith was no less fierce than the confrontation between pagan tribes [9].

Naturally, in the modern mental era, when the bulk of humanity has moved away from the religious canons of existence and relies in the organization of their lives not on the texts of the Scriptures, but on the perception of the world and legislative systems, which are the fruit of their own intellectual (thinking) activity, the concepts of "God", "divine predestination" and life "for the sake of God", as well as the need to fulfill "His will", have remained in the historical past. They have ceased to be a defining feature of people's lives [4].

Only the concept of the "Fatherland", embodied in the state (country, native land) and devotion to it, has been preserved. Undoubtedly, as long as the people, states and countries exist, patriotism lives, which in its extreme form of ultra-patriotism to a certain extent coincides with the concept of "nationalism". According to the Great Russian Encyclopedia, nationalism is a political ideology and practice based on the

idea of the nation and its interests as *the highest values*. Depending on the understanding of a nation, nationalism has two main forms – civil, or state, and ethnic. Civil nationalism emerged in the era of bourgeois revolutions and formation of modern states on the basis of the idea of the nation and the people as *a fellow-citizen with a common identity and historical and cultural heritage*. This form of nationalism is aimed at substantiating legitimacy of the state and consolidating the civil nation, but *often contains attitudes towards discrimination and assimilation of minorities, as well as state expansion (messianism) or, conversely, isolationism*. This kind of nationalism is widely used by states through official symbols and ideological institutions (education, social sciences, mass media, etc.) in order to assert civil loyalty ("service and love for the Motherland", "respect for the country and the past"/etc.) and disseminate national legal norms, moral and cultural values" [10].

In our opinion, this definition of nationalism is the most complete and accurate, since it includes not only the idea of the nation as the highest value for the state, but also draws attention to two most common forms of understanding of this phenomenon. It points to its civic and ethnic essence with many extremes that follow from this, up to expansionism and isolationism, as well as to the historical time of this concept emergence. In particular, it connects the emergence of this concept with the era of bourgeois revolutions and formation of modern states on the basis of the idea of the nation and the people as a fellow-citizen with a common identity and historical and cultural heritage [10]. This completely coincides both with the above three-stage periodization of mental civilizations, and with the specifics of relationships in them between ethnic groups and the peoples (in the terminology of ethnographers – tribal relationships).

Not only journalists, but also some statesmen began to consider Nazism as manifestations of nationalism in different countries and regions of the world, for example, in Ukraine. We believe it necessary to recall that the term "Nazism" originated based on the abbreviation of the term "National Socialism", i.e. nationally oriented socialism. However, the socialist path of development was declared in the USSR [11].

However, while National Socialism was pro-

claimed in Germany, then International Socialism was declared in the USSR. But the essence was the same: the goal of the state was to proclaim its socially oriented foundations. When the army of the Third Reich treacherously crossed the borders of the USSR, it became necessary to categorically dissociate itself from “national socialism”. So there appeared an abbreviation “Nazism”, to which the term “Fascism” was later added in its negative sense. Thus, soldiers of the Red Army fought with the Nazis and fascists, but not with the socialists [11].

After the end of World War II, the term “Nazism” became synonymous with words such as xenophobia, nationalism, chauvinism, and fascism. All these words in modern Russian have received an extremely negative meaning and therefore, as a rule, are used to disparage political opponents.

In recent decades the term “Neo-Nazism” (New Nazism, New National Socialism) has also become widespread. It is understood as the movement that, after the 2nd World War, united nationalist organizations close to National Socialism in their program settings or declaring themselves as followers of the National Socialist German Workers’ Party (NSDAP) [11].

Although the movement of Neo-Nazism is heterogeneous, but since 1962, most organizations that are part of it have united into the World Union of National Socialists (WUNS). At the end of 2012, 44 organizations were officially registered in Russia. Moreover, almost all of them have their own Internet resources and the press. Today, WUNS groups exist in Belgium, Bulgaria, Bolivia, Brazil, Venezuela, Great Britain and many other countries. In Russia, representatives of Neo-Nazi movements are the All-Russian civic-patriotic movement “Russian National Unity” (RNU), the National Socialist Movement “Slavic Union”, the community “White Colour” and some others [12]. By 2010, many of them had been banned in the Russian Federation by decisions of courts of various instances.

It is important to specifically note that after religious mental civilizations, humanity has not at once and not simultaneously begun to move to a scientific worldview. This process began in the European countries in the 15–16th centuries and then spread to other world countries. In particular, science actively developed in Italy,

England, France and Germany. The religious worldview set forth in the Scriptures, as well as religious norms and dogmas, were completely rejected by apologists of the Enlightenment (Voltaire, Diderot, Holbach, Locke, etc.). The formation of secular law was the fruit of the intellectual activity of people [1; 5].

However, many states even of the modern world follow requirements of canonical (religious) law, for example, Iran, Kuwait, the United Arab Emirates, Pakistan, Tunisia, Saudi Arabia, etc. It is worth mentioning that they are also forced to make changes to their legislative norms today under the pressure of changed living conditions [5].

Thus, the very concept of “extremism”, as an extremely negative phenomenon of social life of the peoples, arose only in the early 20th century. The “International Convention for the Suppression of the Financing of Terrorism” (October 9, 1998) and the “International Convention for the Suppression of Terrorist Bombing” (February 15, 1997) were adopted only at the end of the 1990s.

The Council of Europe Convention on the Prevention of Terrorism was adopted in 2005. Adopted earlier, the European Convention on the Suppression of Terrorism (1977) is still applied by almost all EU countries [2].

In our country, the Federal Law No. 114-FZ of July 25, 2002 “On Countering Extremist Activity” and the Federal Law No 35-FZ of March 6, 2006 “On Countering Terrorism” are in force.

According to the Shanghai Convention on Combating Terrorism, Separatism and Extremism, adopted on June 15, 2001, these acts are understood as a forcible seizure of power or forcible retention of power; forcible change of the constitutional order of the state, and violent encroachment on public security, including organization for these purposes of illegal armed formations or participation in them. In domestic legislation, in particular in the Federal Law “On Countering Extremist Activity”, the concept of extremism is revealed through the enumeration of acts that are interpreted as extremist.

So, it can be argued that throughout its existence, humanity has had a different attitude to those phenomena that our contemporaries perceive as extremist and terrorist, since each of the mental epochs has its own specific worldview, norms and rules of behavior, as well as its

own value world. It is the reason of the absence of concepts of nationalism, Nazism, Neo-Nazism and Fascism, perceived and qualified as criminally punishable acts, in religious mental civilizations.

Still, humanity has never been mentally homogeneous in its spiritual views: both ethnic groups inclined to tribal (pagan) traditions of organizing their lives and those refusing not only pagan, but also monotheistic beliefs have lived side by side for centuries. We can bring a vivid example from a modern life: inhabitants of the Far North tend to a pagan worldview and people with atheistic views, who, as a rule, live in large megacities of different countries of the world. It is worth mentioning that the number of people with atheistic views in the world is steadily growing, approaching 17% today [13]. And those who consider themselves believers have a very vague idea of both God and the scriptures in which He is represented and characterized [4].

So, in the modern world, representatives of religious extremist views believe that strict adherence to the Scriptures is the most correct and righteous and do not spare their own lives to revive traditions and customs of religious eras, while their “antipodes”, who are “nationalists”, suppress the identity of their fellow citizens of other ethnic groups, forcibly impose on them views alien to their mentality and being, including religion, language, traditions and customs of life.

What is the mental specifics of nationalists in comparison with carriers of other types of extremism? How does this affect the construction of a system of prevention and counteraction to nationalism in the Russian penal system?

Although these issues have been very little studied, nevertheless, it can be said that the mental specifics of nationalists is manifested not only in propaganda of the ideas of superiority of one nation over all others and the actions caused by these views and aimed at the humiliation and forced assimilation of other peoples, but also in the pursuit to build a one-nation sovereign state, with all the negative consequences that follow from this for other ethnic groups, up to the official fixation (recording) of persons of the titular nation or an indication of their ethnic origin (for example, (Kazakh of Russian origin” [10–12].

It is widely known that nationalists kill their ideological and political opponents not only in their own country, but also abroad. Everyone remembers, for instance, murder of journalists Oles’ Buzina, Sergei Sukhobok and politician Oleg Kalashnikov in Ukraine and killing of Dar’ya Dugina and military blogger Vladlen Tatarskii in Russia, as well as attempted murder of many others.

In this respect (in particular, according to the methods used to achieve their goals), nationalists are very similar to extremists who profess racism and chauvinism as well as to those who adhere to the ideas of superiority of one language, culture and religion over others.

Penal system employees should take into account that the worldview and activities of nationalists are directly opposite to those ideas professed, for example, by religious extremists. As a rule, the latter are obsessed with the idea of merging all ethnic groups and peoples into a single world brotherhood on a spiritual basis, and not on a national (ethnic) basis (for instance, creation of a world caliphate in the modern world or unification of all Christians into a single world spiritual brotherhood (“New Age”, etc.) [1; 5].

Nationalists try to use religious views of their fellow citizens for the sake of their isolationist aspirations. In this regard, the example of Ukrainian nationalists, who initiated the receipt of a tomos of autocephaly for the Orthodox Church of Ukraine from the Patriarchate of Constantinople, is very indicative [14; 15]. This happened in Istanbul (Turkey) under President P. Poroshenko on January 6, 2019. There is nothing surprising in the fact that the President of Ukraine Vladimir Zelensky proposed to the Verkhovna Rada to postpone the Christmas celebration date from January 7 to December 25. The Explanatory Note to the document submitted by V. Zelensky to the Parliament stipulates that the proposed changes are aimed at amending Article 73 of the Labor Code of Ukraine, i.e. a purely secular document. The main reason for changing the Christmas celebration date is the Ukraine’s desire to abandon Russian influence and the imposed tradition of celebrating Christmas in January [16]. According to this proposal, December 25 will be celebrated as Christmas, July 15 — as the Ukrainian Statehood Day, and

October 1 — as the Defenders and Defendresses of Ukraine Day [16].

What are methods, techniques and means to resist nationalist views in the penal system of modern Russia?

Unfortunately, the experience of foreign penitentiary systems and domestic penal system does not allow us to present a sufficiently effective, successfully tested, holistic system of prevention and counteraction to nationalist views. The reasons are objective. First, the available experience is extremely scarce and insufficient for scientifically-based generalization and dissemination (as, by the way, for other types of extremism and terrorism). Second, the phenomenon of nationalism and its main manifestations have been little studied. We can only add to the above-listed features of nationalists that adherents of nationalist views are very heterogeneous both in their aspirations and in the degree of their involvement in nationalist organizations and movements. Among them one can find both fanatically minded people who, as our experience shows, practically do not perceive any arguments of reason and are not amenable to persuasion, as well as people who are unstable in their views or accidentally found themselves in nationalist organizations. Third, the circle of penal system employees, who purposefully study characteristics of nationalists and carriers of all other radical ideas, is extremely limited.

For example, employees of operational, regime, educational and psychological services should not only know aspirations of representatives of all extremist views and the specifics of their mentality, but also, taking into account the specifics of their official activities, possess skills and techniques of their recognition, prevention and counteraction. For example, just as when working with religious extremists, penal system employees should know the content of primary sources of monotheism (the Torah, the New Testament, and the Koran), paganism and neopaganism, history of the formation and development of different ethnic groups, when identifying and re-socializing nationalists it is necessary to show them the formation of the people that they consider the best. It should be taken into account that nationalists, as a rule, have distorted or fictitious ideas about historical processes that are planted by their ideologists [1; 4; 5].

Nationalists should be pointed out that not authoritarianism, dictatorship, or the will of the leader, but reasonable arguments are a way of influencing people's thinking and a decisive condition for changing their consciousness and accepting certain decisions, including issues of relations with other ethnic groups and peoples. The scientific worldview is tolerant of all judgments and positions, hypotheses and theories. It cannot exist without a pluralism of opinions, different points of view, debates, and discussions. It is the new mental civilization that defines the "right to self-determination of nations".

At the same time, penal system employees should know that ideas related to a sense of national dignity and defending their national identity are inherent in all ethnic groups and peoples of the world, since they are a form of self-preservation of national identity. This form can increase or, on the contrary, fade away in different historical conditions, depending on the threats that come from the surrounding ethnic groups and peoples.

So, in particular, if we are talking about re-socialization of Ukrainian nationalists, then it is necessary to show them the whole path that those numerous and different in their ethnic origin, language and traditions of life tribes of Krivichi, Drevlyans, Polyans, Radimichi, Vyatichi, Tivertsy, etc. had passed before the appearance of that tribal formation of the Eastern Slavs, from which those peoples who consider themselves Belarusians, Russians and Ukrainians descend [17].

Nationalists should get an idea that geopolitical and climatic conditions of their life affect the formation of a particular people, religious beliefs and many other things influence the mentality of ethnic groups, which ultimately determines the identity and uniqueness of a particular people in its current state.

Penal system employees, using concrete examples, should describe how families, growing, acquired the status of a genus, how clans were united into tribes, how customs and traditions of each family, clan and tribe were formed, as well as disseminate the idea that forcible imposition of one's own language, culture, traditions, customs, the value world and norms of being on another ethnic group or people contradicts human development trends. Moreover, these

employees should demonstrate the formation of the people not only using examples of past eras, but also of modern life. As an illustration, they can use the concept of “Dagestani” being formed today and including a great number of different-language ethnic groups for which the Russian language has become the unifying principle, and the Constitution of the Russian Federation has become the basic norms and rules of behavior.

Penal system employees should have educational materials and training tools. This, in turn, poses fundamentally new tasks for the entire system of training and retraining of employees of the Federal Penitentiary Service of Russia so that, taking into account the profile of their work, they can conduct purposeful work with nationalists as well as with persons with extremist religious and other beliefs. What is more, it is necessary to create a special group (department) in the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia, which, in cooperation with employees of educational institutions and territorial bodies, can organize special experimental work in order to identify not only the mental and ideological-ideological specifics of extremists and terrorists of all stripes, but also methodological foundations for the prevention and counteraction to their extremist views.

The best practices in preventing and countering extremist and terrorist views in the penal system of Russia are important and should be generalized and disseminated. However, in accordance with realities of the new scientific-oriented mental era, it is the purposeful experimental research work that should become the basis for identification of carriers of extremist and terrorist views and resocialization of convicts.

Besides, all educational institutions of the Federal Penitentiary Service of Russia need to focus efforts on training and retraining of penal system employees to prevent and counteract beliefs of nationalist and other radical character, taking into account specifics of their official activities.

Conclusions. The article briefly dwells on key aspects of preventing and countering nationalist views in the penal system of Russia. Foreign and domestic penitentiary systems address fundamentally new tasks, including prevention and counteraction to nationalism. There is no hope that they will be solved by themselves or within the framework of traditional approaches, methods and techniques applied in the penal system. The purposeful work of all structural divisions of the Federal Penitentiary Service of Russia is necessary to solve fundamentally new tasks that are dictated by realities of new times.

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