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This year, the legal community celebrates the anniversary of Taliya Yarullovnay Khabrieva, a prominent Russian scholar, a legal expert and director of the Institute of Legislation and Comparative Law under the Government of the Russian Federation, academician of the Russian Academy of Sciences, member of the European Commission for Democracy through Law (Venice Commission of the Council of Europe). She is the type of person, among others in constellation she belongs to, who conquers the depths of science and the summits of recognition. The article contains a scientific biography of T. Y. Khabrieva, describes her scientific efforts, and provides an assessment of her contribution to the management and development of Russian, foreign and international legal science. The role of academician T. Y. Khabrieva is shown in the law-making process, addressing practical legal issues of rulemaking, and improving Russian legislation in its different branches. The article also focuses on the scientific and practical work of Taliya Yarullovnay on strengthening the Russian constitutional system and democratic values, formation of the rule-of-law state and civil society, development of legal education and certification of academic staff.

Keywords: academician; Taliya Yarullovnay Khabrieva; T. Y. Khabrieva’s anniversary; scientific biography of T. Y. Khabrieva; scientific works of T. Y. Khabrieva; T. Y. Khabrieva as a maker of legal science



Information in Russian

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В этом году юридическое сообщество отмечает юбилей Талии Ярулловны Хабриевой – крупного российского ученого, директора Института законодательства и сравнительного правоведения при Правительстве Российской Федерации, академика Российской академии наук, члена Европейской комиссии за демократию через право (Венецианской комиссии Совета Европы). Именно таким людям, находящимся в постоянном поиске новых идей, посвятившим этому свою жизнь, покоряются и глубины науки, и высоты признания. Вклад Т. Я. Хабриевой в организацию и развитие российской правовой науки бесценен. Заметна и ее роль в правотворческой работе, в решении юридико-технических проблем нормотворчества, в совершенствовании российского законодательства разнотраслевой направленности, в укреплении российского конституционализма и демократических ценностей, формировании правового государства и гражданского общества, а также в развитии юридического образования и аттестации научных кадров.

Ключевые слова: академик Талия Ярулловна Хабриева; юбилей Т. Я. Хабриевой, научная биография Т. Я. Хабриевой; научные труды Т. Я. Хабриевой, Т. Я. Хабриева как организатор правовой науки

Taliya Yarullova graduated with honors a full-time course at the Faculty of Law of Kazan State University named after Ulyanov-Lenin, which gave many outstanding scientists to the country.

She defended her Ph.D. thesis on the teleological interpretation of Soviet law in 1985 in Moscow

at the All-Union Research Institute of Soviet Legislation (now the Institute of Legislation and Comparative Law under the Government of the Russian Federation, which has been headed by Taliya Yarullova for 17 years).

The young Ph.D. obtained her first professional experience at the Department of Domestic and

International Law of the Faculty of Law of Kazan State University she had graduated.

The Kazan period of her scientific work was marked by monographic papers *Teleological (target) Interpretation of Soviet Law* (1988), *Constitutional Control* (1992), *Legal Protection of the Constitution* (1995). They explored theoretical and constitutional legal issues that were unique and unusual for the classic national school. The approval of well-known theoreticians of law, such as V. V. Lazarev, A. S. Pigolkin, V. A. Tumanov, who were the teachers for Taliya Yarullova, not only determined T. Y. Khabrieva's work style, characterized by innovation and pathbreaking approach in what could seem already researched areas of legal science, but also underlined the significance of the subject, the depth of studies oriented towards the development of fundamental grounds for the state-building.

In 1996, T. Y. Khabrieva got her job at the Institute of State and Law of the Russian Academy of Sciences. In her scientific career, she was moving from a senior researcher, head of the sector of constitutional law theory, to the deputy head of the Public Law Center (with academician B. N. Topornin, director of the Institute of State and Law of the Russian Academy of Sciences, being her mentor at that time). That was a period of further scientific growth for the young scientist. Here, based on her previous doctrinal developments, Taliya Yarullova prepared and defended a doctoral thesis on the theory and practice of interpreting the Constitution of the Russian Federation in 1997. Simultaneously, she became professor at the Moscow State Institute of International Relations under the Ministry of Foreign Affairs of Russia.

Soon the managerial and creative potential of T. Y. Khabrieva was in demand in government activities. In 1998 she was appointed to the post of State Secretary – Deputy Minister for Federal Affairs, National and Migration Policy of the Russian Federation, where she worked for about 4 years.

However, the unyielding desire for science, inherent in her even when engaged in civil service, determined her future professional destiny. In 2001 she headed the Institute of Legislation and Comparative Law under the Government of the Russian Federation.

Early 2000s were a difficult period in the history of Russian science: lack of funds, a sharp drop in prestige of scientific profession, insufficient staff personnel. In such conditions, there was a strong need in people having solid research experience and willpower, capable of meeting the challenges. In the person of Taliya Yarullova, the Institute of Legislation and Comparative Law under the Government of the Russian Federation received a leader who managed to implement large-scale scientific projects, restore the Institute's position as a leading institution of domestic legal science and the main expert legal center for the country's legislative activity, and thus open up new scientific horizons.

The young director managed to keep together the team consisting of leading scientists and, without exaggeration, legends of domestic legal science, and she set the task to form a middle generation of scientists who would be ready to assume the main burden of responsibility for the quality of scientific work and, finally, to do their best to make scientific work attractive to the younger generation of researchers.

The main goal was associated with the consolidation and development of Russian legal science, rallying research teams, and returning faith in science and its ability to meet modern challenges and social needs. This was achieved in a fairly short time as the director could rely on the strong spirit of her team. The famous and largest in the country civil school of the Institute again declared itself in 2006, when it became a platform for discussing scientific and legal issues of current interest and established the tradition of annual scientific readings named after S. Bratus, dedicated to the memory of the great Russian theorist and civilian, former director of the Institute.

Under the guidance of Taliya Yarullova, the traditional comparative activity of the Institute has risen to a new level, due to large-scale comparative legal studies, and also annual congresses of comparative law held since 2011, to which the Venice Commission of the Council of Europe joined in 2013.

The emergence of major scientific projects and the desire of the new director of the Institute to revive the significance of scientific assessments and forecasts resulted in publication of large monographic studies on the key issues of public and private law. Particularly noteworthy are the works

on the concepts of the development of Russian legislation, which constitute a new scientific genre and a serious contribution to fundamental science and the state-building process.

Many years ago, it was the All-Union School of Young Lawyers that served as a start in scientific life for T. Y. Khabrieva. Since 2006, on the proposal of T. Y. Khabrieva the Institute has been annually arranging International Schools of Young Lawyers, which gather over 400 Russian and foreign participants every year.

The outstanding personality of Taliya Yarullova, and her contribution to science as a researcher and a revered manager were highly praised by the academic society. On May 22, 2008 Taliya Yarullova was elected an associate fellow of the Russian Academy of Sciences, and only three years later, in 2011, she was elected a full member of the Russian Academy of Sciences (academician). It is important to note that the Institute staff had not ever had academic titles before, except for S. V. Yushkov, who was a member of two republican academies of sciences.

In 2013, Taliya Yarullova was elected a vice-president of the Russian Academy of Sciences. She became the first woman in the modern history of the Academy elected to such a high position.

Taliya Yarullova worked as a vice-president of the Russian Academy of Sciences for 4 years. These years saw a difficult process of RAS reforming. She took part in search for compromises on many conflict issues. Thanks to these efforts, legal solutions were found, which were then adopted by the Academy. Also, significant is the contribution of Taliya Yarullova in the development of the new charter of the Russian Academy of Sciences and amendments to the federal law "On the Russian Academy of Sciences, Reorganization of State Academies of Science and Amendments to Certain Legal Acts of the Russian Federation".

Taliya Yarullova is a Russian scientist recognized by the international scientific community. She has been repeatedly involved as an official expert of the Council of Europe on Russian legislation. In particular, she took part in presentation of the new revision of the law "On General Principles of Organization of Legislative (Representative) and Executive Bodies of the Russian Federation". In 2008 T. Y. Khabrieva entered the Scientific Council of the

Continental Law Foundation under the French Ministry of Justice, established to preserve continental traditions and values of law, so she became its only delegated representative from Russia and the post-Soviet countries. In 2003 T. Y. Khabrieva received the status of a visiting professor at the Faculty of Law of the University of Paris I (Sorbonne).

2013 marked the beginning of a new phase in the international activities of Taliya Yarullova. She was appointed a member of the European Commission for Democracy through Law (Venice Commission of the Council of Europe). Shortly after the appointment, Taliya Yarullova was elected to the Bureau and the Scientific Council, the governing bodies of the Venice Commission. In 2017, the President of the Russian Federation reappointed her as a member of the Venice Commission, and in December same year, she was re-elected to the Bureau and the Scientific Council of the Venice Commission.

Despite the extreme workload from administrative, managerial, state and public affairs, academician Taliya Yarullova Khabrieva, as a creative and talented scientist, is aware of all the trends in modern legal research. She has written more than 360 scientific works, and the anniversary is a perfect occasion to consider the long, difficult, but bright way of allegiance to science.

The scientific profile of Taliya Yarullova covers many areas of legal studies. The formation of Taliya Yarullova as a scientific researcher was determined by her interest in the theory of state and law and constitutional law. Thanks to her research, the issues of teleological interpretation of law acquired doctrinal value. In Soviet legal literature this type of interpretation was actively denied, and even in encyclopedias of that time the teleological interpretation was equated with theological. Now it causes a smile, but at that time she had to overcome this prejudice and substantiate the independent meaning of this kind of interpretation.

T. Y. Khabrieva stressed that interpretation takes place not only in the process of law enforcement, it goes beyond the scope of law enforcement in general and is important for all aspects of legal activity. She reasonably explained the meaning of goals in law, gave a definition of teleological interpretation as activity carried out by subjects of law and aimed at establishing target parameters of law,

which allow for revealing the general meaning and content of specific regulatory requirements.

It must be said that these studies appeared just in time, as the country was entering a period of dramatic changes in the social and political system that affected all the legal system. A few years after publication of Taliya Yarullova's works on teleological interpretation, the domestic legal system, which had been in a static situation for a long time, underwent a dramatic "shake-up", it was supplemented with hundreds (and then thousands) of new laws and other legal acts in which everything was new, from the subject to the content.

The topic of constitutional interpretation remains one of the favorites for T. Y. Khabrieva. For the Soviet legal tradition, this was a very painful issue, since it was assumed that the provisions of the Constitution could not be interpreted. However, Taliya Yarullova notes that the mechanism for interpreting the Constitution is of great importance, since it ensures correct implementation of the established principles and norms in social practice.

Moreover, T. Khabrieva's attention has recently been attracted to the law interpreting activity of international organizations. She analyzed the activities of the Venice Commission of the Council of Europe as a subject of law interpretation [35].

And yet it should be noted again that academician T. Y. Khabrieva has a very special attitude to the constitutional topic, which found its development in a whole series of works, including about two dozens of books (monographs, textbooks) on the theory of constitution and constitutional development of modern states [6, 22, 23, 28, 30]. These works include studies devoted to scientific analysis of issues being of great importance for the states with culturally complex composition of population [25, 27]. For the cycle of works *Constitutionalization of the Legislation and Law Enforcement Practice* T. Y. Khabrieva was awarded a Speransky Gold Medal by the Russian Academy of Sciences.

T. Y. Khabrieva first took part in the discussion on cross-national issues while working in the Ministry for Federal Affairs, National and Migration Policy of the Russian Federation. This prompted her to think about theoretical issues of cross-national relations. As a result, T. Y. Khabrieva published her works devoted to ethnocultural self-expression, where a long evolution of the right to self-determination, its metamorphosis under the influence of objective civilization processes and in conjugation with them is revealed [25, 27].

The ideas and new scientific constructions contained in these monographs became the subject of close attention on the part of well-known scientists and received a lot of positive feedback [20, 31, 33, 34].

Under the supervision of T. Y. Khabrieva, there were conducted collaborative studies concerning the interaction between economics and law, theoretical bases of public administration, legal problems of innovation development, improving municipal management, legal support for the Russian intellectual resources, etc. [1, 2, 3, 5, 7, 8, 9, 11, 12, 13, 15, 19, 21, 26, 32]. Large-scale comparative legal projects have been implemented [1, 2, 5, 19, 32] under her guidance, including translation of constitutions of all Asian, African and American countries.

Many theoretical studies of Taliya Yarullova originate from those areas where the subject would seem purely applied. For example, this was the case when under the leadership of Taliya Yarullova, scientists of the Institute developed a domestic legal model for counteracting corruption [4, 10, 16, 17, 18]. Works on counteracting corruption unite not only academic lawyers but also specialists from other fields of science (sociology, economics, psychology, philosophy, etc.), which provides an interdisciplinary approach to research and a deep analysis of challenging issues.

In the theory of law, T. Y. Khabrieva has always been interested in the issues of law diversification and categorization of its individual elements, and also the criteria for distinguishing norms, institutions, legal complexes and other "bricks of law" [14, 24]. T. Y. Khabrieva introduced the concept "cyclical legal entities", applied to anti-corruption legislation, legislation against money laundering and financing of terrorism [17, 18].

Concurrently, T. Y. Khabrieva continues studying the issues of IT development in society, including law. Her research focus includes the processes and patterns of digital technology influence on the law, the multi-content nature of the current legal regulation, relationship between the virtual and real in law, the future digital format of traditional sources of law.

As an experienced scientist and teacher, Taliya Yarullova is a member of dissertation defense boards under the Institute of Legislation and Comparative Law. She has been a member of the Presidium of the State Commission for Academic Degrees and Titles for many years. Under her coordination, the scientific school has been formed, which

develops various ideas in works of her students, including ten PhDs and four doctors of law.

Besides the recognition of colleagues, the scientific efforts and governmental activities of T. Y. Khabrieva were also acknowledged with many government and departmental awards: the Order of Merit for the Fatherland III and IV, the Order of Alexander Nevsky, the Order of Honor, the Order of Friendship, the honorary title “Honored Lawyer of the Russian Federation” and “Honored Lawyer of the Republic of Tatarstan”, the Medal “In memory of the 1000th anniversary of Kazan”, honorary diplomas of the Government of the Russian Federation, the Federation Council, the State Duma, the Accounts Chamber of the Russian Federation, and other federal executive bodies, the “Honorary Employee of Justice” (Ministry of Justice of Russia), medals of A. F. Koni (Ministry of Justice of Russia), “For Distinguished Service” and “For Assistance” (Investigative Committee of the Russian Federation), Honorary Badge of the Institute of State and Law named after V. M. Koretsky of National Academy of Sciences of Ukraine, medals “The Constitution of Kazakhstan. 20 years”, the medal “For Strengthening Parliamentary Cooperation” of the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States, and others.

Constant scientific search, breadth of view, the ability to grasp current trends and predict the relevance of research topics allowed T. Y. Khabrieva, as editor-in-chief of the *Journal of Russian Law* and the *Journal of Foreign Legislation and Comparative Law*, to achieve high recognition of these journals by scientific community, so that now they are among the most popular and cited scientific periodicals in Russia. Taliya Yarullova is also a member of the editorial boards of the scientific journals *State and Law* and *Perm University Herald. Juridical Sciences*.

Taliya Yarullova Khabrieva captivates her colleagues by her inexhaustible energy, deep knowledge, genuinely creative approach to solving complex scientific and practical problems, willingness to help and support in various life situations. All this makes a combination of unique virtues of an outstanding person, being an example of total professional dedication, encouraging, supporting and directing others, and achieving high results.

We would like to wish her health, further professional achievements and success!

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