

## ПРАВОВАЯ ЖИЗНЬ: НАУЧНО-ПРАКТИЧЕСКИЕ ЗАКЛЮЧЕНИЯ, КОММЕНТАРИИ И ОБЗОРЫ

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### Experiencing history as a factor of self-identification of states and peoples of the post-Soviet space: Legal dimension\*

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For Armenia, Belarus, Estonia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, the Russian Federation, Ukraine, and Uzbekistan, the basic forms of self-identification of states are described: the declaration of an official position on the assessment of historical events; the adoption of memorial laws, by which criminal liability can be established for expressing a position on facts of the past that does not correspond to the state’s position; and a policy for awards based on positive examples in the history of the country. Based on normative legal acts, officially adopted concepts and strategies, as well as a review of literature, this article identifies such models of official remembrance policy that have developed in the post-Soviet space as the defense of historical truth and historical memory, the requirement to recognize crimes committed in the past, the denial of the positive aspects of a particular stage of history, the search for state and social identity in the distant past, and its mythologization. The causes for mainstreaming history at the present stage and reflection of this process in the complex relationship of history and memory are considered. The stages of updating historical knowledge for states and peoples of the post-Soviet space are highlighted. Features of the award policy, various concepts underlying the award systems in the former republics of the Soviet Union, as well as general historical assessments of specific events and personalities are shown, even in the face of divergence of the official remembrance policy. The authors make conclusions about the adequate strategy leading to long-term results, aimed at joint experiencing the traumatic

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events of the past by the states and peoples, drawing lessons from them and determining ways to further development without creating an image of the enemy.

*Keywords:* official remembrance policy, award policy, self-identification of states, self-identification of peoples, statutes of orders, experiencing history.

## 1. Introduction

Historical knowledge is always relevant, since the world community, states, societies, people identify themselves through their origins, analyze their present through from the perspective of the past, and overcome previous mistakes as the basis of the future. However, there are periods when experiencing history becomes especially acute, and the assessment of events of the past takes on a systemically important role in determining the main directions of state policy, the people's awareness of their unity or disunity, and the formation of value guidelines for a society and for individuals.

Generations of people who witnessed the events of the late 20<sup>th</sup> and early 21<sup>st</sup> centuries in the USSR and post-Soviet space experienced different stages of this process. The first stage was associated with the policy of publicity (*glasnost*'), which for the first time after the 1920s was mentioned at the April Plenum of the Central Committee of the Communist Party of the Soviet Union in 1985. Then they openly spoke about publicity in the context of economic problems so as to eliminate them as soon as possible at the 27<sup>th</sup> Congress of the Communist Party of the Soviet Union in February 1986. After the accident at the Chernobyl Nuclear Power Plant on April 26, 1986, it became clear that silence about the problem led to the vast scale of the tragedy, a blow to the state's image in the international arena, and human casualties that could have been avoided. As a result, the liberal reforms of 1987–1991 were already carried out under the motto "*Glasnost*' [publicity] — *perestroika* [restructuring] — *uskorenie* [acceleration]". One of the most critical areas of publicity policy was turning to the "white spots of history", primarily of the Soviet era. Soviet citizens received extensive information about the mass repressions of the 1920s until the early 1950s. New assessments of historical figures, some events of the Great Patriotic War, data on corruption in party *nomenklatura*, and so on appeared. This dealt a massive blow to Soviet ideology based on the idea that the USSR was the best state in the world and grounded on the principles of equality, justice, and respect for labor, and became one of the causes of such a rapid collapse of the Soviet Union.

The second stage began in the second half of the 1990s and continues to this day. It is associated with the formation and development of statehood of the newly independent countries, which were previously republics of the Soviet Union. Through an assessment of historical events, each state tries to determine its place in the international arena, form a public system of values, and sometimes receive certain political and economic dividends. This process is also observed in society. There is a rethinking of history at the professional and the philistine level. This is facilitated by the digitalization of various areas of life. Historical information has become more accessible, and different ways of collecting and summarizing data of "personal" history are used. People have the opportunity to search for biographical materials about their ancestors, collect the "people's history" of the Great Patriotic War by posting information about their family members, etc.

The processes of self-identification of states and peoples are very complex. First, the reflection of the state and society can both go in the same direction and differ significantly.

Thus, a considerable part of the population may not agree with the official remembrance policy proclaimed by a particular state. Second, there is political speculation on historical events. Third, the past can become a source of division of society when imposing the lopsided assessment of historical events that does not coincide with people's memory. Fourth, the development of international integration associations sets the task of "writing" the general history of the states and peoples, which for centuries not only were not allies but often fought with each other.

This article aims at determining the legal models of attitude to the historical past, which the states of the post-Soviet space use in the process of their self-identification and their perception by society.

## 2. Basic research

Until 1917, the greater part of the peoples living in the Soviet Union constituted the population of the Russian Empire. One should note that measures aimed at forming a positive memory of joining territories to Russia were already taken in the Russian Empire. For example, Caucasian regiments were supposed to record the history of their stay in the Caucasus, and the Caucasian governor solemnly read out orders that spoke about the role of the Russian army in the reign of peace and tranquility, monuments were built, etc. (Kolosovskaia, Tkachenko 2020, 146).

A similar policy was carried out in Soviet times. For example, in 1954, the 300<sup>th</sup> anniversary of Ukraine's accession to Russia was solemnly celebrated. As part of this, although for various reasons, on February 19, the Presidium of the Supreme Soviet of the USSR issued the Decree on the Transfer of the Crimean Region from the RSFSR to the Ukrainian SSR<sup>1</sup>, and, on April 26, the Law of the USSR with the same name was adopted<sup>2</sup>.

At the present stage, the experiencing of history as a factor of self-identification of the states of the post-Soviet space occurs in the following primary forms. The first form is the official remembrance policy, which the state proclaims and implements. Since ancient times, official remembrance policy has been one of the directions of state policy that determines the value guidelines of the state and society. Its forms have changed over time and can include the construction of pantheons, canonizations, erection of monuments, assignments of ranks and titles, solemn celebrations of events that were to become a new page in the country's development, and so on. However, the concept of "remembrance policy" arose only in the second half of the 20<sup>th</sup> century. Postmodernists (R. Barthes, M. Foucault, J. Derrida, Iu. Kristeva, and others) proposed the theory of "constructing" the past, considered the sum of the most preferred ideas at the state and social levels that form a societal group identity.

For the former republics of the USSR, four basic directions of official remembrance policies can be distinguished, although, of course, different vectors existed. For Belarus

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<sup>1</sup> "The Decree the Presidium of the Supreme Soviet of the USSR on the Transfer of the Crimean Region from the RSFSR to the Ukrainian SSR". *Vedomosti Verkhovnogo Soveta SSSR*. March 9, 1954, no.4 (798): 147 (art. 64).

<sup>2</sup> "The Law of the USSR on the Transfer of the Crimean Region from the RSFSR to the Ukrainian SSR dated 26 April 1954". *Website of the Constitution of the Russian Federation*. Accessed February 11, 2022. <https://constitution.garant.ru/history/ussr-rsfsr/1936/zakony/3946680/chapter/16431423d8a7c81067c9042341219398>.

and Russia, the protection of historical memory has been official policy. For instance, the Russian Federation identifies historical events that unite the whole people, symbolizing the solidarity of generations. Such events include the Great Patriotic War, which affected nearly every Soviet family. May 9 is a public holiday and an event of the past, the memory of which is deliberately supported not only by the official but also by public and personal practices. According to experts, this is the semantic center of all recent history of Russia (Kosovan 2018, 6).

The “memory wars” that began in the last third of the 20<sup>th</sup> century regarding World War II led to the fact that in 2014, in the Russian Federation, the rehabilitation of Nazism began to be considered a criminal act with criminal liability. In this case, Russia is going in the same direction as many European countries, since now more than twenty countries have introduced articles into their Criminal Codes prohibiting the justification of the crimes of Nazism and the revision of the results of World War II. In 2020, the Constitution of the Russian Federation was amended; Article 67.1 introduced the protection of historical truth<sup>3</sup>. On July 1, 2021, amendments were made to the Federal Law on Perpetuating the Victory of the Soviet People in the Great Patriotic War of 1941–1945<sup>4</sup> containing a ban on public expression of the equivalence of the goals, decisions, and actions of the leaderships of the USSR and Nazi Germany. In the National Security Strategy of the Russian Federation adopted on July 2, 2021, the protection of historical memory is assigned a strategic national priority, along with the country’s defense<sup>5</sup>.

At the public level, the Immortal Regiment movement arose, which expanded to many countries. There are many sites where one can enter information about one’s ancestors, who at the front or in the rear participated in victory over fascism.

A similar approach exists in Belarus. On March 18, 2019, the Information Security Concept of the Republic of Belarus was adopted, which determined the need for a state historical policy (Mushta, Rastimeshina 2021, 88–89). The events of World War II are also systemically crucial in shaping the official remembrance policy. Primary attention is paid to the partisan movement in the republic and the massive loss of life — according to the most modest estimates for 1941–1945 every fourth resident of Belarus died (Poliakova 2019, 205). The problem of diametrically opposite assessments of the events of 1939–1945 is particularly acute in Belarus and neighboring Poland. For instance, in Belarus, the proposal to proclaim September 17 as the Day of National Unity provoked a sharply negative response in Poland, which considers this date the day that Soviet occupation began.

For the states that previously did not have their own statehood and became independent only at the end of the 20<sup>th</sup> century (e. g. Central Asian countries), official remembrance policies are one of the most critical areas of policy-making, as this forms the basis for the self-identification of the state and people. For example, in Kyrgyzstan, in November 2013, the celebration of the 1170<sup>th</sup> anniversary of the Kyrgyz Khaganate was solemnly celebrated (Diatlenko 2014, 32); that is, the historical roots of independence are being

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<sup>3</sup> The Constitution of the Russian Federation (adopted following the nationwide vote on December 12, 1993 with amendments supported during the All-Russian vote on July 1, 2020). Henceforth all references to Russian regulations and judicial practice are given according to the data from the ConsultantPlus system. Accessed February 11, 2022. <http://www.consultant.ru>.

<sup>4</sup> The Federal Law No. 278-FZ on Amending the Federal Law on Perpetuating the Victory of the Soviet People in the Great Patriotic War of 1941–1945 dated 1 July 2021.

<sup>5</sup> The Decree of the President of the Russian Federation No. 400 on the National Security Strategy of the Russian Federation dated 2 July 2021.

sought. Western scholars call such a model patriotic (Holmes 2016) since its key features are the grounds that allow the people to realize their identity substantiating the elites' right to govern and position the country in the international arena (Galitskaia 2021). In particular, the country's location between the two great powers — Russia and China — is constantly emphasized.

Another model is characteristic of the states that had a short period of independence in the 20<sup>th</sup> century, namely, after 1917. Thus, in the Baltic countries, the official remembrance policy is based primarily on the idea of overcoming the memory of the period when they were part of other states and which is generally considered negative.

For example, on May 4, 1990, the Supreme Council of the Latvian SSR adopted the Declaration on the Restoration of Independence of the Republic of Latvia, classifying the events of June 1940 as an international crime by the USSR, which resulted in occupation. Then, after the collapse of the Soviet Union, on August 22, 1996, the Declaration on the Occupation of Latvia was adopted, according to which Russia, as the successor of the USSR, was to pay compensation for the occupation and consider the issue of a territorial dispute concerning the Pytalovskii district of the Pskov region. On October 29, 1998, the Declaration on Latvian Legionnaires in World War II was adopted (they fought on the side of Nazi Germany)<sup>6</sup>, however, a public holiday in honor of them, celebrated on March 16, was then canceled under public and international pressure. On May 12, 2005, the Sejm of the Republic of Poland adopted the Declaration on Condemning the Totalitarian Communist Regime of the Union of Soviet Socialist Republics Carried Out in Latvia. According to this Declaration, a Commission was created to calculate the damage caused by the totalitarian communist occupation regime. Its work ended in 2016: the determined damage from the Soviet occupation amounted for € 185 billion (Zverev 2020, 166).

The idea of two occupations — fascist and Soviet — is articulated at the official level in other republics of the Baltic states. In January 2020, 73 out of 101 deputies of the Estonian parliament signed a draft statement condemning the Russian interpretation of the events of August 1939 and calling on the Russian Federation to take responsibility as one of the main initiators of World War II<sup>7</sup>. A manifestation of this policy was the well-known *Kononov v. Latvia* case, which was before the European Court of Human Rights. During the Great Patriotic War, V.M. Kononov was the commander of a partisan detachment of the 1<sup>st</sup> Latvian partisan brigade, a bomber. After the collapse of the USSR, he was recognized by the Supreme Court of Latvia as a war criminal for the murder of nine residents of the village of Malye Baty, whom the partisans considered to have collaborated with the Germans. V.M. Kononov filed a complaint with the Strasbourg court. The Chamber of the European Court of Human Rights ruled that the criminal prosecution of the former Soviet partisan was unlawful, but the Grand Chamber upheld the verdict of the Latvian court, reversing the previous decision<sup>8</sup>. At the same time, according to experts, the events of the Holocaust are not considered in the Baltic republics as part of the history of World War II.

<sup>6</sup> “Deklarācija par latviešu leģionāriem Otrajā pasaules karā”. *Latvijas Vēstnesis*, November 10, 1998, no. 336. Accessed February 11, 2022. <http://vestnesis.lv/ta/id/218706>.

<sup>7</sup> “Burn historical memory’: how the Baltic countries are fighting the ‘Russian interpretation’ of World War II”. *The RT website*. January 31, 2020. Accessed February 11, 2022. <https://russian.rt.com/ussr/article/713809-pribaltika-perepisyvanie-istorii-estoniya-holokost-gitler>.

<sup>8</sup> “The Judgement of the European Court of Human Rights dated 17 May 2010. Case of Kononov v. Latvia (application no. 36376/04)”. *Biulleten’ Evropeiskogo Suda po pravam cheloveka. Rossiiskoe izdanie*. 2010. No. 8.

As A. A. Linchenko notes concerning Lithuanian society, this is learned memory, but not experienced, and thus is potentially perceived as alien (Linchenko 2018).

One can distinguish a unique model of the official remembrance policy based on the mandatory recognition of the crimes committed in the past, not related to World War II. This requirement may apply to different countries. Since 1926, in the USSR, April 24, as the date of memory of the victims of the genocide of the Armenian population in the Ottoman Empire during the First World War, was not indicated in the calendars of the Armenian Apostolic Church; until 1965, this topic was considered closed (Kharatian 2017, 127). However, these events in the Republic of Armenia are receiving significant attention nowadays. This discrepancy between official and peoples' memory has led to the fact that today this topic is perceived as traumatic and hard to experience. In 2015, when the centennial of these tragic events was celebrated, the Pan-Armenian Declaration was adopted. Its content can be summed up in two points: a call to remember the innocent victims and a proposal to Turkey to condemn the Armenian genocide. The main direction of the official remembrance policy has become the struggle for historical justice under the motto "I Remember and Demand" (Cherkashina 2018, 286). Thus, the requirements for the recognition of the crimes are imposed on a country that was not part of the USSR.

The opposite situation is observed in Ukraine. For example, in 2006 the Law on the Holodomor of 1932–1933 in Ukraine<sup>9</sup>, initiated by then president V. Iushchenko as urgent, had colossal resonance. According to G. V. Kas'ianov, three of six articles of the Law were designed to rewrite the history of Ukraine. According to the first, the Holodomor 1932–1933 in Ukraine is qualified as "the genocide of the Ukrainian nation"; Article 2 prohibits the very denial of the fact of the Holodomor; Article 6 provides for the introduction of administrative responsibility for the public denial of the Holodomor 1932–1933 in Ukraine (Kas'ianov 2016, 33). This law immediately raised many questions. If there was a single country, why is hunger considered exclusively as a policy of genocide against one of the peoples living in the USSR? Should Russia, as the successor of the Soviet state, bear international legal responsibility for the events occurred more than 70 years ago? Interestingly, after Ukraine, the word "Holodomor" appeared in the legislation of other former republics of the USSR, particularly in Kazakhstan.

Despite various models of the systemic element of the official remembrance policy in the former republics of the Soviet Union, there are common features in them. Thus, back in 1989, the work on finding and publicizing some mass burials of victims of repressive politics (Kuropaty, Levashovo, Butovo, Kommunarka, and others) began, the first books of memory of the dead and missing appeared. On August 13, 1990, the Decree No. 556 of the President of the USSR on the Restoration of the Rights of All Victims of Political Repression of the 20–50s was issued<sup>10</sup>. This work was continued by independent republics of the former USSR. Thus, in the RSFSR on October 18, 1991, the Law on the Rehabilitation of Victims of Political Repression<sup>11</sup> was adopted, and it is still in force. The Law has not lost its relevance in the 21<sup>st</sup> century: even in 2005, 234,463 applications for rehabilitation

<sup>9</sup> "The Law of Ukraine on the Holodomor of 1932–1933 in Ukraine dated 28 November 2006". *The Main Legal Portal of Ukraine "Liga: zakon"*. Accessed February 11, 2022. [http://search.ligazakon.ua/l\\_doc2.nsf/link1/T060376.html](http://search.ligazakon.ua/l_doc2.nsf/link1/T060376.html).

<sup>10</sup> The Decree No. 556 of the President of the USSR on the Restoration of the Rights of All Victims of Political Repression of the 20–50s dated 13 August 1990.

<sup>11</sup> The Law of the Russian Federation No. 1761-1 on the Rehabilitation of Victims of Political Repression dated 18 October 1991 (as amended on December 6, 2021).

of citizens subjected to political repression were under consideration (Petrov 2007). As noted in the Concept of State Policy to Perpetuate the Memory of Victims of Political Repression, dated 15 August 2015, after the events of August 1991, the government of the Russian Federation continued the rehabilitation program. In addition to events of the 1930s through the early 1950s, political repression in the pre-Stalinist and post-Stalinist times were recognized<sup>12</sup>. The status of “the repressed” was given to those innocently convicted during peasant uprisings of 1918–1921, the Red Terror of 1922–1924, after the events in Novocherkassk in 1962, the Kronstadt Rebellion of 1921, prisoners of war during the Great Patriotic War, and clergy. In Kazakhstan, history textbooks include information about mass repressions. The work on returning and perpetuating the names of representatives of the Kazakh intelligentsia who suffered during these years is underway. The memorial to women prisoners of the famous internment camp “ALZhIR” (*Akmolinskii lager' zhen izmennikov rodiny*) was created (Galiev 2016, 432).

The potential of the shared experiencing of history is very large. This factor actively uses the European Union to create a pan-European history, giving it the role of a unifying beginning (Medushevskii 2019). Joint work on rethinking the past is also crucial for Eurasian integration, since positive historical experience and the results of overcoming mistakes make it possible to use them in the future.

The second form of experiencing history as a factor of self-identification of states and peoples of the post-Soviet space — after the official remembrance policy — is the reward policy, which is regularly subjected to research, especially for Russia. Much attention is paid to the analysis of the pre-revolutionary award system of Russia, since it was one of the sources of the formation of the award system in the Russian Federation and other countries of the post-Soviet space (Kokurina 2011). The link between priority national projects and reward policy is being considered (Trofimov 2015). Features of rewards in different countries are identified (Rozanov 2008; Nikol'chenko 2011).

By award policy, one can judge how the state and society identify themselves. Since the second half of the 18<sup>th</sup> century, lawyers have drawn attention to the need for parallel development of punishments and incentives—for example, J. Bentham's treatise *Théorie des peines et des recompenses* (Bentham, Dumont 1840). Specialists in police law J. von Justi and C. von Wolff have engaged this topic. Since that time, the idea of reward politics and even reward law has become a constant topic in political and legal theory. For example, R. von Jhering spoke of reward as the opposite of punishment and believed that society punished the one who failed before it and rewarded the one who had merit before it (Jhering 1881).

A prominent place in the series of incentives is occupied by state awards, reflecting a general approach to the history of the country, its individual stages, and specific historical personalities. For example, the practice of awarding orders appeared in the era of the Crusades and symbolized belonging to the specific group of people associated with a common vow, and in the Renaissance, it turned into a symbol of recognition of merit and approximation to the monarch. The policy of awarding orders reflects the evolution of the state and society. Thus, until the 19<sup>th</sup> century, a person who did not belong to the upper estates could not be awarded the order, whatever his merits. In 1802, Napoleon I changed this system by introducing the National Order of the Legion of Honor. Since now, for more

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<sup>12</sup> The Concept of State Policy to Perpetuate the Memory of Victims of Political Repression adopted by the Resolution No. 1561-r of the Government of the Russian Federation dated 15 August 2015.

than two centuries, states have successfully or unsuccessfully used incentive measures to implement the main directions of their domestic and foreign policies.

The definitions of the award policy are usually given the same. This is a systematic, consistent, well-grounded activity of the subjects of the social political system aimed at developing a strategy, creating legal regulation mechanisms for the establishment, and using awards as an effective means of managing socially beneficial activities and stimulating the people to engage in them. However, one identifies different functions of the award policy. This is the maintaining of the ideological attitudes of the state (for example, the highest order in the Soviet Union was the Order of Lenin as the founder of the Soviet state) (Khaminov 2005), the inducement to useful activities, the moral equivalent to save public funds (for example, the Russian Federation National Award, the amount of which is 5 million rubles, is not a state award, and the assignment of the honorary title “Merited Artist of the Russian Federation”, and other similar titles does not have material incentives) (Kapustkin 2018, 32) or the fixation of an outstanding historical event or its anniversary.

The award policy in the Russian Federation is founded on the following principles:

- refusal to establish orders perpetuating the memory of the country’s leaders, which corresponds to the pre-revolutionary Russian award tradition;
- connection of awards with spiritual feats — the dedication of orders to the Holy Apostle Andrew the First-Called, St George, St Great Martyr Catherine of Alexandria;
- the clear hierarchy of state awards established by the Regulation on State Awards of the Russian Federation approved by the Decree No. 1099 of the President of the Russian Federation dated 7 September 2010;
- continuous improvement of the award system of the Russian Federation<sup>13</sup>;
- continuity in relation to the pre-revolutionary award system of Russia and, to a lesser extent, to that of the Soviet state. In particular, the statute of the Order of the Holy Apostle Andrew the First-Called, which was introduced by Peter the Great, noted that “no exact merits are determined by law to achieve this order and the award of it depends solely on the Monarch attention to the service and distinctions of senior state officials”<sup>14</sup>; the statute of the Order of the Holy Apostle Andrew the First-Called of the Russian Federation refers to exceptional merits of state and public figures that contribute to the prosperity, greatness and glory of Russia;
- a significant number of orders perpetuating the memory of commanders and military leaders: Aleksandr Nevskii, A. V. Suvorov, F. F. Ushakov, M. I. Kutuzov, P. S. Nakhimov, G. K. Zhukov;
- recognition of the anniversary medals of the Russian Federation as a separate type of the awards not related to the state awards of the Russian Federation.

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<sup>13</sup> The Decree No. 1099 of the President of the Russian Federation on Measures to Improve the State Award System of the Russian Federation dated 7 September 2010 (as amended on November 19, 2021).

<sup>14</sup> “The Statute of the Imperial Order of St Apostle Andrew the First-Called. Code of State Institutions, Book VIII, Section II, Chapter 2”. *The Digest of Laws of the Russian Empire*. 1832. Vol. 1: 4–27. St Petersburg, Tip. Vtorogo Otdeleniia Sobstvennoi E. I. V. Kantseliarii Publ.



Interestingly, among orders of Ukraine, the Order of Bogdan Khmel'nitskii occupies a vital place. This historical personality is revered both in Ukraine and in Russia. His name is associated with the national movement aimed at liberation from the Polish-Lithuanian rule in the middle of the 17<sup>th</sup> century. The result of this struggle was the accession of Left-Bank Ukraine to Russia and the final release from the influence of the Polish — Lithuanian Commonwealth. In April 1995, there was the heated debate about establishing this order in the Ukrainian parliament. However, on May 3 of the same year, the President of Ukraine signed a corresponding decree. On January 30, 2004, a new version of the Charter of the Order of Bogdan Khmel'nitskii was adopted. It is awarded to citizens of Ukraine for special merits in protecting state sovereignty and territorial integrity, in strengthening the country's defense and security (Nikol'chenko 2011, 98).

In the award system of Uzbekistan established by the Law No. 176-I on State Awards dated 22 December 1995 (in the edition of 2018), there is the order "Amir Temur", which can be awarded either to the citizens of the republic or foreigners for their exceptional contribution to strengthening the state power, strengthening inter-state cooperation, peace and friendship among nations, as well as for the development of architecture, science, literature and art (including military one)<sup>15</sup>. It is dedicated to Amir Temur (Tamerlane), who lived in the 14<sup>th</sup> — early 15<sup>th</sup> centuries and became famous as the great ruler of Central Asia and the conqueror. Thus, Kyrgyzstan and Uzbekistan are searching for their roots; the place of the state in the historical development of humanity is being determined. However, creating a solid state, not military merits, comes first in this process.

The turning to history is also characteristic of the award system of Moldova established by the Law No. 1123 on State Awards of the Republic of Moldova dated 30 July 1992, which was then repeatedly supplemented and edited<sup>16</sup>. Thus, among the orders of this country, one is dedicated to Bogdan the Founder — the first independent ruler of Moldova in the 14<sup>th</sup> century, and the other — to Stephen the Great, who in the 15<sup>th</sup> — early 16<sup>th</sup> centuries defended the independence of the Principality of Moldova during his 47-year reign.

Thus, the award policy, its legal design are an indicator of the current remembrance policy and serve as those guidelines that reflect the essential values of the State and, most often, the society.

### 3. Conclusions

Experiencing history is the most crucial factor in the self-identification of states and peoples. Moreover, this process is characteristic of both the "old" states and the newly appeared on the world's political map. The primary forms of self-identification of states are the declaration of an official position on the assessment of specific historical events (official remembrance policy), the adoption of "memorial laws", through which even criminal liability can be established for expressing a position on facts of the past that does not

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<sup>15</sup> "The Law of the Republic of Uzbekistan No. ZRU-473 on Amendments and Additions to the Law of the Republic of Uzbekistan on State Awards dated 11 April 2018". *National database of the legislation of the Republic of Uzbekistan*. Accessed February 11, 2022. <https://lex.uz/ru/docs/3676252>.

<sup>16</sup> "The Law No. 1123 of the Republic of Moldova on State Awards of the Republic of Moldova dated 30 July 1992". *The State Register of Legal Documents*. Accessed February 11, 2022. <http://lex.justice.md/index.php?action=view&view=doc&lang=2&id=313284>.

correspond to the state's one, the award policy based on positive examples in the history of the country.

Self-identification of the states and peoples of the post-Soviet space takes place with the use of various tactics and means. The first option is founded on the heroic past of the country and the peoples living in it (Russia, Belarus). This, as a rule, corresponds to the mood of most of the population, that is why certain values are “cemented” and the desire to protect the historical truth arises. The second option, characteristic of the countries that became independent only at the end of the 20<sup>th</sup> century, is based on the search for the grounds for the independence of state entity in the distant times of power (Uzbekistan, Kyrgyzstan and Moldova). In this case, one turns to religious teaching, traditional values and customs. This path is long, complex, but it contributes to peaceful coexistence with neighboring states, the refusal to create an image of the enemy. The third option of self-identification is pursued by the states that had a little experience of independent existence in the 20<sup>th</sup> century, therefore they cherish it very much and require compensation from different countries for its loss (Baltic countries, partly Ukraine). For such states, entry into the European community and adherence to European values that do not always correspond to public perceptions are pretty important. Finally, the fourth option is that a terrible traumatic historical event has not been overcome at the state and social levels, so the main requirement is not material compensation, but the confession of guilt by the respondent states and an expression of solidarity from other countries (Armenia).

Experiencing history, although until now the events of the past are often used for the sake of political speculation, should become the basis for understanding the events that occurred, analyzing the mistakes made, identifying ways to overcome them, creating the new models based on the proven practices. This is especially true of states and peoples that have been forming for centuries or decades. Creating and exploiting the image of the enemy can be a temporary solution to momentary political problems, but strategically it is the wrong path, since it does not allow building your own ideals of statehood and social development.

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