

ROLE OF FAMOUS PERSONALITIES IN THE HISTORY OF THE BAR (XIX – XXI CENTURIES)

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The present article discusses the history of the system of advocacy from the 19th century to the modern period. It presents well-known personalities who have made an unbearable contribution to the development of the Institute of advocacy. In addition, a parallel is drawn between attorneys of the 19th century and lawyers of our time, taking into account not only their activities, but also widespread achievements during the implementation of their work, expressed in concrete examples. The research is considered to be topical as the advocacy today plays a significant place in public life. More and more people need to protect their interests in their everyday life and in issues related to their business.

The purpose of this article is to analyze achievements and the activities of outstanding personalities of the 19th century in the field of formation of the Institute of advocacy. Moreover, the current research find out how the contribution of these people has affected the improvement of the bar system at the present stage.

Key words: institution of advocacy, attorney, well-known personalities.

Аннотация:

В данной статье рассматривается история системы адвокатуры с 19 века по современный период. В ней представлены известные личности, внесшие непосильный вклад в развитие института адвокатуры. Кроме того, проводится параллель между поверенными 19 века и адвокатами современности, принимается во внимание не только их деятельность, но и широко-распространённые достижения во время осуществления ими своей работы, выраженные в конкретных примерах. Исследование считается актуальным, так как адвокатура сегодня занимает значительное место в общественной жизни. Все больше людей нуждаются в защите своих интересов в повседневной жизни и в вопросах, связанных с их бизнесом.

Целью данной статьи является анализ достижений и деятельности выдающихся личностей 19 века в области формирования института адвокатуры. Кроме того, текущие исследования показывают, как вклад этих людей повлиял на улучшение системы адвокатуры на современном этапе.

Ключевые слова: институт адвокатуры, поверенный, известные личности.

It is known that the history of the bar started in the 19th century, where there were no recognized attorneys, lawyers in Russia. This fact was due to the slow development of legal culture, primarily, in which the importance of such institution had not been realized yet. Only when the Emperor Alexander II implemented the judicial reform, the institute of advocacy was approved [2]. Such personalities as D.V. Stasov, V.D. Spasovich, A.I. Urusov, N.P. Karabchevsky and F.N. Plevako played the main role in the development of advocacy.

Here precise studying of their activity in advocacy will be presented further:

D.V. Stasov was born in Saint Petersburg in the family of a famous architect. In 1886 Stasov was admitted to the bar of barristers and was soon declared as their leader [4]. The musical cases were a huge layer in his advocacy. As a lawyer Stasov defended in a rather long trial copyright Dargomyzhsky on the opera "Mermaid". The "musical processes" became the basis for the revision the legislation on the copyrights and opera composers [3].

V.D. Spasovich, who was also considered to be the most prominent lawyer, was born in Rechitsa, Minsk province [4]. He turned out to become a talented representative of the bar. The complete collection of his works contains five volumes of speeches, from which it is possible to deduce his views on the theory and practice of the judicial speaker. For his 40-year-old advocacy Spasovsky earned the honorary title “The king of the bar” [3].

The next lawyer under consideration is A.I. Urusov who was born in Moscow. In 1868 he moved to an assistant attorney and in 1871 he received the title of attorney [4]. During this time he with the same success appeared in several high-profile processes, including nechaev'ske process, in which he defended the assumption, Volkov, and some others. Urusov was invited abroad to the trials that were planned to give political color [3].

N.P. Karabchevsky, who can also be named as a great lawyer of all times, was born in Kherson province [4]. Being an assistant attorney he participated in high-profile political processes of that period. He maintained relations with V.G. Korolenko, A.P. Chekhov, L.N. Tolstoy. Karabchevsky had a combative temperament, the skill to ask questions and break the argumentation of the opponents. He was proud that none of his defendants was executed [3].

In the history of national history there were no people more popular than F.N. Plevako. He was “the great speaker”, “genius of the world”, “metropolitan of advocacy” [2]. Plevako was the first to sign up as an assistant to the attorney M.I. Dobrokhotov. Here he proved himself in criminal proceedings as a gifted lawyer and in 1870 he was admitted to the jury district of the Moscow trial chamber.

It must be said that F.N. Plevako was one of those lawyers who started developing the basics of judicial rhetoric in Russia [4]. He delivered a lot of speeches in the courtroom, which later became public and passed from mouth to mouth.

There are five famous aphorisms of Plevako, revealing his mastery of eloquence:

"For the Prosecutor is the law, and the lawyer – man with his destiny, with his aspirations, and this man climbs to a lawyer, seeking his protection, and very scared of slipping with the burden.»

"Facts can not be rejected: removed the head to his shoulders not put.»

"There are moments when the soul is outraged by untruths, other people's sins, outraged in the name of the moral rules in which he believes, which he lives– and, outraged, strikes the one who is outraged... So, Peter strikes the slave insulting his teacher. There still there is a fault, intemperance, lack of love for the fallen, but the fault of apology first, for the act was due not to weakness, not pride, and the jealous love of truth and justice.»

"Death to sin, but leave life to the sinner!«

“The husband sees a man ready to defile the purity of the marriage bed; the father is present at the scene of the temptation of his daughter; the high priest sees the impending blasphemy - and, besides them, there is no one to save the right and the Shrine. In their soul rises perverse sense of anger and righteous vengeance, and protection of the right scold. It is legal, it is Holy; if it does not rise, they are despicable people, pimps, blasphemers!”

It should be noted that the activities of the best lawyers of the 19th century, their moral and ethical concepts laid the foundation for the modern concept of the advocacy, which is enshrined in the Federal Law: “The advocacy is a professional community of lawyers, acting on the basis of the principles of legality, independence, self-government, corporatism, as well as on the basis of the principle of equal rights of lawyers” [1].

Indeed, the bar at the present stage, thanks to the activities of the above celebrities, is developing very rapidly. Such lawyers as Andrey Knyazev, Henry Padva, Marina Belikova are among the best lawyers in Russia today. Creating the bar Association, the Bureau, they raised the bar to a high level.

I would also like to cite as an example several modern well-known lawyers who continue the development of the Institute of advocacy and today occupy an influential position in the world of jurisprudence:

The famous lawyer Henry Reznik started his career in 1985. His principals were the most influential politicians, public figures, journalists, artists, for example, Russian President Boris Yeltsin, head of the security service of the Russian President Yuri Plekhanov, head of the human rights center "memorial" Oleg Orlov and many others [5].

The famous lawyer of Russia Henry Padva, who began his professional activity in 1953, defended the interests not only of well — known officials and cultural figures-Padva's principals were the largest Russian and world companies, as well as banks. For example, Padva was succeeded by Affairs of the head of the Russian government Mikhail Kasyanov, defense Minister Anatoly Serdyukov, the company "the Renaissance the Capital" and Bank "Citibank" [5].

The famous lawyer Pavel Astakhov, who started his legal practice in 1994, is known not only for his success in the courts: Astakhov was the presidential Commissioner for children's rights for more than six years. Lawyer status was suspended in 2009, then resumed in 2016. Among his principals-film Director Alexei Uchitel, Moscow mayor Yuri Luzhkov, singers Philip Kirkorov and Soso Pavliashvili and many others [5].

Anatoly Kucherena has been engaged in advocacy since 1993, has a degree of doctor of law and the title of Professor. Kucherena defended the interests of well-known politicians, diplomats, cultural figures and even athletes of Russia. Among his principals — singers Joseph Kobzon and Grigory Leps, special agent Edward Snowden, businessman Suleiman Kerimov [5].

Alexander Dobrovinsky received the status of a lawyer in 1992. Provides assistance in high-profile criminal and civil cases to large businessmen, VIP-persons from the sphere of politics, art, show business. He represented the interests of multi-billionaire Alexei Mordashov, politician Boris Berezovsky, singer Philip Kirkorov, businessman Victor Slutsker [5].

Hasan Mirzoev is a famous Russian lawyer with more than 40 years of legal experience. He is an active public figure, politician, editor-in-chief of a scientific journal, teacher [5].

Mikhail Barshchevsky began to practice law in 1980. Actively engaged in writing and research, in 1997 he became a doctor of law, and 10 years later he was awarded the title of Honorary lawyer of Russia. Since 2001, the status of counsel has been suspended [5].

Yuri M. Burmistrov is a candidate of legal Sciences, author of more than 40 valuable scientific works, a teacher of Moscow state University. Lomonosov. Specializes in malfeasance. Secured the release from custody of 48 defendants, including the Minister of Finance of Russia Vladimir Panskova, the first Deputy Finance Minister Vladimir Petrov [5].

Kostanov Yu. a. is a candidate of law, lawyer experience - more than 25 years. Member of expert councils at the state Duma and the Federation Council. The author of the book "Speeches judicial and not only" [5].

Gagarin N. is a honored lawyer of Russia, in the profession for over 35 years. Universal lawyer providing services in the field of civil, criminal, tax law. Provides legal assistance to Russian and foreign commercial firms [5].

P. Galaganov is the President of the Federal Union of lawyers, honored lawyer of Russia. Specializes mainly in the protection and representation of interests in criminal cases. He defended the interests of former Prime Minister V. Pavlov.

Yegorov N. D. is a doctor of law, Professor, author of more than 60 scientific papers. Famous lawyer specializing in the resolution of complex civil disputes. Acts as an expert on Russian law in litigation and arbitration proceedings around the world [5].

These lawyers have become famous not only because of their success in the courts, but also because of their participation in various TV shows, mainly in the role of experts. Some lawyers took part in game shows, for example, as judges or prosecutors. At the same time, due to established in the Russian television and electronic media understated requirements for the accuracy of information as well-known lawyers are often presented and give legal advice to viewers of persons who do not have the status of a lawyer.

Among the well-known lawyers of Russia there are a lot of those who became known to a wide audience thanks to participation in TV programs, at the same time confirming the high level of their qualification, participating and winning in real cases. Thus, thanks to television, the following Russian lawyers became famous:

Markaryan R. V. has been practicing law since 1997, specializes in civil, criminal, arbitration cases, candidate of legal Sciences. Participates in TV projects "jury Trial", "Main case", "Point of control", etc.

Oleshenko, M. B. is a specialist on family disputes, job and economic crimes, arbitration cases. Participates in the programs "Federal judge", "Right to defense" and other projects.

Pechenik K. A. is a member of the expert Council under the Ministry of justice, a famous lawyer specializing in labor law. Participated in the TV program "the Court goes", "Trial by jury".

Barabanova M. V. has been working as a lawyer since 2000, specializes in crimes in the economic and tax sphere. She participated in the programs "Federal judge" and "Judicial detective".

Pixin N. N. is a managing partner of CMS hasche Sigle law firm, specializes in legal assistance to foreign companies in Russia. He starred in the TV show "Federal judge".

Luzina K. V. specializes in international, civil, administrative and criminal law. She took part in the filming of the TV show "Federal judge".

To sum up, the bar at the present stage is one of the leading institutions in law, but it would be impossible without the hard work of lawyers and jurists of the 19th century. The activity of outstanding personalities has largely affected the work of lawyers of the modern stage, it laid the foundations of advocacy and paved the way for its further development.

References:

- 1) Federal Law "Advocacy and advocacy activities" from 31.05.2002 №63.
- 2) The main characteristics of the legal profession [Electronic resource]: <https://studbooks.net>.
- 3) The famous lawyers of Russia in the period of 19-20 centuries [Electronic resource]: <https://lib.law.spbu.ru>.
- 4) The lawyers of the past [Electronic resource]: <http://vlib.by>.
- 5) Popular aphorisms of famous lawyers [Electronic resource]: <https://tsitaty.com>.
- 6) Achievements of lawyers in the field of theater, cinema, culture [Electronic resource]: <https://advokat-rating.ru>.