

24

Presentation date: January, 2017
Date of acceptance: February, 2017
Publication date: April, 2017

MUTUALISTIC RELATIONSHIP OF RELIGION, LAW AND ECONOMICS IN THE MODERN WORLD

RELACIÓN MUTUA DE RELIGIÓN, DERECHO Y ECONOMÍA EN EL MUNDO MODERNO

Ph. D. Anna Gubareva¹
E-mail: ashipova@mail.ru
Ph. D. Kseniya Kovalenko²
E-mail: kovalenko1288@mail.ru

¹ Ural State Law University. Yekaterinburg. Russian Federation.

² Altai State University. Barnaul. Russian Federation.

Suggested citation (APA, sixth edition)

Gubareva, A., & Kovalenko, K. (2017). Mutualistic relationship of religion, law and economics in the modern world. *Universidad y Sociedad*, 9(2), 178-181. Retrieved from <http://rus.ucf.edu.cu/index.php/rus>

ABSTRACT

The article shows that the turbulent processes in the politics, economy and society are closely connected with the moral and ethical content of religious outlook, and positive vector of religious social and ideological quests aimed at solving natural tasks problems of human life, and this manifests its (positive Vectra) the potential value and significance. Social relations associated with the use and protection of nature are part of the scope relations, legal regulation of which is necessary, due to the fact that people actively interfere in the system of nature, while putting on the last negative impact. All that with which he interacts, and that is especially vital to a value that falls within the sphere of legal regulation and becomes the subject and the object of this regulation. Therefore, nature is seen not only as an element of the objectively existing world, but as a special legal structure, characterized by certain legal properties.

Keywords: Symbiosis of religion, law and economics, religion and public policy, foreign economic relations, entrepreneurship, technical regulations, protection of life and health of humans and animals, the environment.

RESUMEN

El artículo muestra que los procesos turbulentos en la política, la economía y la sociedad están estrechamente relacionados con el contenido moral y ético de la perspectiva religiosa y vector positivo de las misiones religiosas sociales e ideológicas dirigidas a resolver los problemas de la vida humana (Positivo Vectra) el valor potencial y la significación. Las relaciones sociales asociadas con el uso y la protección de la naturaleza forman parte del ámbito de relaciones, cuya regulación jurídica es necesaria, debido a que las personas interfieren activamente en el sistema de la naturaleza, al tiempo que ponen el último impacto negativo. Todo aquello con lo que interactúa, y eso es especialmente vital para un valor que cae dentro de la esfera de la regulación legal y se convierte en objeto y objeto de esta regulación. Por lo tanto, la naturaleza se ve no sólo como un elemento del mundo objetivamente existente, sino como una estructura jurídica especial, caracterizada por ciertas propiedades legales.

Palabras clave: Simbiosis de religión, derecho y economía, religión y política pública, relaciones económicas exteriores, espíritu empresarial, reglamentos técnicos, protección de la vida y la salud de los seres humanos y los animales, el medio ambiente.

INTRODUCTION

The flowing processes of globalization and integration of economic areas set new challenges for legal regulation. They develop not only a national organizational legal mechanism of protection and rational use of nature, but also require the development of a complicated mechanism within the framework of bilateral and multilateral cooperation among states.

Implementation of agreements and treaties in the field of international environmental law occurs in the context of economic integration of states that has an impact on the issues of protection and rational use of the environment. In this area the cooperation of Russia with other countries is carried out within the framework of a number of international and intergovernmental organizations and the implementation of a complex of international treaties.

Thus, Russia carries out economic cooperation with other countries in the WTO and EEU. At the same time the activities of these organizations which deal with the issues in the field of regulation of economic and industrial activity affect the environmental aspects of such activities within the framework of the technical regulation.

DEVELOPMENT

Today technical regulation is one of the developing means and institutions of the legal regulation. It is significant not only for the production and integration of the economic areas of the various states, but at the same time becoming a significant element of the legal regulation of the environment and human environment as well as it allows in solving environmental issues to take into account the factors of production activities and the associated with it economic factors or, conversely, the environmental aspects in the development of the international trade.

Technical regulation is one of the EEU tools. It is implemented via the development and adoption of technical regulations, which establish compulsory for implementation in the custom's territory of the EEU requirements for products and related processes of production, storage, transportation, sale and disposal. At the same time the system of legal support of technical regulation of the foreign economic activity is carried out not only within the WTO and EEU, but also within the national legal regulation. It should be noted that the main legal act in this field in Russia is the Technical Regulation Act. However, applying the rules of technical regulation it is necessary to consider that in accordance with para. 4 art. 15 of the Constitution of the Russian Federation international treaties and agreements adopted in the field of technical regulation act directly on

the territory of the Russian Federation and shall be applied by all economic entities (participants of the foreign economic activity).

Main part

In accordance with para. 2 and para. 3 art. 4 of the Agreement on Common Principles and Rules of Technical Regulation in the countries - participants of the EEU technical guidelines develop and apply in order to ensure in the customs territory the protection of life, human health, the environment, life and health of animals and plants, prevention of actions misleading consumers, and in cases where the safety of products or related to the requirements for production processes, storage, transportation, sale and disposal must be the immediate adoption of appropriate technical regulation .

Para. 5 art. 4 of the Agreement on Common Principles and Rules of Technical Regulation provides with applying of certain international standards for development of technical guidelines. It should be noted that the technical regulations may have specific requirements that reflect the characteristics associated with climatic and geographical factors of the parties or technological features. For example, in order to establish safe forms of production and marketing of food the Technology regulation of the Customs Union "On Safety of Meat and Meat Products" was adopted by the decision of the Council of the Eurasian commission № 68, 9th October , 2013 (TR CU 034/2013). This technical regulation was designed to protect human life and health, the environment, life and health of animals, prevent actions that mislead consumers about meat products safety. It also has an effect on meat products, which are produced in the customs territory of the Customs Union (now - EEA), and the processes of their production, storage, transportation, sale and disposal.

Thus, the Customs Union supports those who produce and sell more quality products with reasonable prices. For example, the above mentioned Technology regulations of the Customs Union provides that 'it is forbidden to label meat products with invented names that are identical or confusingly similar to a made-up names of meat products established by interstate (regional) standards'. It means that if sausage has the label 'Doctorskaya', it must contain a definite amount of beef and pork: 25% beef and 70% pork. However, manufacturers often do not adhere to this relation and mislead buyers with such labels as 'Doctorskaya +', etc. So according to this technical regulation the product should have not less than 60% of meat in it. Otherwise it is not meat product but product that has meat in its contain that should be marked on the label. The TR CU 034/2013 also restricts the use of such food

additive as E250 (sodium nitrate) the use of which in large doses is harmful to health. Now the entire meat production, which spreads on the territory of the Customs Union, is a mandatory labeling with complete information. This requirement applies both to meat products produced in the countries - participants of the Customs Union and arrived from third countries.

However, despite all the positive activities of the Eurasian Economic Commission Council it suppresses a justice entrepreneurial initiative. Thus, in 2013 it was prohibited to sell meat products resulting from the homestead slaughter. The ban came into force on 1st May, 2014. After that farmers began to curtail the production of meat, because they were not prepared to meet the requirements of the TR CU 034/2013. Selling in the street market was the only one embodiment of realization.

Sverdlovskaya oblast (the constituent entity of the Russian Federation) has no specialized slaughterhouse. None of Nevyansk farmers can afford to build such a facility because it needs to have large investments and huge herd for slaughterhouse to compensate all expenses. It is possible to build the slaughterhouse with efforts of several farmers, but the problem of differentiation of responsibility is arising. The nearest to Yekaterinburg (the capital city and the largest city in Sverdlovskaya oblast) slaughterhouse is in Beresovsky, but the cost of transportation and time spent on it make the transportation unprofitable. To solve this problem at the municipal level is also not possible, due to the fact that support for agriculture does not apply to local issues. They can invest in the development of that sphere only 500 thousand rubles as subsidies annually distributed among households. A way out could be a mobile slaughterhouse, but in this case, entrepreneurs need government support. The local administration of agriculture and provisions offer only subsidies for the purchasing of refrigerators, but farmers have no right to receive such subsidies, only agriculture cooperatives have it.

In that way only large farms with good financial basis have the ability to conduct business.

In addition, in the field of animal farming and meat production the approval and implementation of technical regulations do not take into account the real situation of farmers, the specificity of individual subjects of agricultural activity, and the specificity of agricultural production in different regions of the country. It should be noted that the position of the domestic agricultural producers is complicated because of the tendency to reduce the subsidization of agricultural sector of the country as a whole because of the performance WTO requirements. Terms of

subsidies are rigidly bound with international trade rules that the WTO sets.

Thus, subsidies are regulated by the Agreement on Subsidies and Countervailing Measures and the Agreement on Agriculture which requirements are binding on all WTO members. The main purpose of these documents is to ensure balance in the international trade market. But they are aimed at limiting the sovereignty of states in the field of regulation and the development of agriculture, because it is supposed to create a mechanism that limits government support of farmers. These documents do not cover peculiarities of parties to the Agreements, which relate to different conditions of farming and the use of certain technologies by manufacturers of different countries, including the poorly studied and harmful for the environment technologies.

In addition, the WTO rules on subsidies both relate to issues of subsidizing exporting producers and manufacturers operating in the domestic market. According to these rules subsidies as government support measures are allowed, but must comply with the WTO requirements list. At the same time western experts note the negative role of subsidies for international trade market since they allow states to engage in protectionism when promoting products on the market through tariffs and quotas.

However, the lack of subsidies increasingly plays a role to market products which are exported from different countries: the production technology is cheaper, not least because of the use of new agrochemicals and genetically-modified material. Another important factor in the development of agriculture is an investment. But investors (especially foreign) practically do not invest in the domestic agriculture because they prefer quickly pay production such as alcohol, confectionery, etc.

Investors usually invest in animal farming not regularly because it needs large financial investments. But it can be provided only by the government, for example, through companies with state participation. E.g., consider the project to build high-tech hog-raising farm in Altay krai (the constituent entity of the Russian Federation). The project is implemented with the participation of the Vnesheconombank (government business enterprise) with an investment of \$ 10-12 billion rubles. It is clear that the state is able to invest in such amount, but technical and financial capacity of small and medium-sized businesses are not enough for realization of such requirements as provided by the TR CU 034/2013. As a result, the cost of transportation of animals, slaughter them, the lack of adequate market infrastructure, etc. potentially create conditions for the growth of the cost of domestic meat

products, making it uncompetitive with foreign products produced under the most favorable conditions and with the least cost. At the same time in Russia large agricultural complexes producing meat products are not enough to satisfy demands of consumers. Thus, in some areas of the country there is a deficiency in swine production in amounts of 200 to 600 tons per year.

CONCLUSIONS

As a result, an urgent task of the state policy today is the development and sustainability of the domestic market of rural economic, the development of a set of measures to create the conditions of production, and realization of it in the domestic market.

Furthermore, agricultural production and the development of the domestic market of agricultural products are not only important elements of the state's economy, but also the basis for food security because it has great influence on a person's health.

Undoubtedly, due to ambition of the state to reach the maximum economic performance in the framework of technical regulation, there is the need to harmonize both with the requirements of other states, and with the requirements of laws of the Russian Federation. In addition, it is necessary to harmonize not only the acts of the Customs Union and the Russian legislation, but the legislation in the spheres of the foreign trade and environmental law. Along with that, must be considered that ill-conceived mechanism of implementation of technical regulations, the lack of analysis of the possible consequences of such realization leads to reduction in the production of agricultural products and manufactured out of it quality of food products, which leads to a violation of the requirements of a number of normative documents.

So, reduction of the activities of small and medium-sized businesses leads to the degradation of agricultural production: the basis of social security will disappear; a certain part of population will be unemployed, agricultural territories and waterbodies become ownerless and not used. It leads to deterioration of human living conditions that includes the food supply: reducing domestic food entails an increase of cheap imported genetically modified food.

BIBLIOGRAPHIC REFERENCES

Dmitrieva G. K., Ershova I. V., & Kartashov A. V. (2013). Pravovoe regulirovanie vneshneekonomicheskoi deiatel'nosti v usloviakh vstupleniia Rossiiskoi Federatsii vo Vsemirnuiu torgovuiu organizatsiiu.

Ivashchenko E. (2015). Kyrgyzstan: Oslinyi skandal obnazhil iz"iany kolbasnykh tsekhov Bishkeka. Informatiionoe agenstvo Fergana. Retrieved from <http://www.fergananews.com/articles/8427>

Sykes, A. O. (2003). *The Economics of WTO Rules on Subsidies and Countervailing Measures*, John M. Olin Law & Economics Working Paper, 186. Chicago: University of Chicago. Retrieved from http://www.law.uchicago.edu/files/files/186.aos_subsidies.pdf

Tolstenko, V. (2014). Kolbasy i morozhennoe – nastoiashchie i mnimye. Vechernii Ekaterinburg 13 maia. <http://vechernii-ekaterinburg.rf/ourcity/safety.crime/15560-kolbasy-i-morozhenoe-%E2%80%94-nastoyaschie-i-mnimye>