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Born on 6 August 1979 in Moscow to a family of engineers, during my school years I took part in various competitions (so-called "Olympic games") in mathematics, trying to keep up with family traditions. By the end of myschool days I made a choice in favor of the humanities. Words, not numbers, became my tool for the analysis and designing of social reality.

In 1996 I entered Kutafin University and made my way from a student to a University professor. Kutafin University is the largest legal center in Russia (both in number of students and variety of legal courses and programs offered).

Within the framework of an international cooperation arrangement I received the status of an associate member of the scientific center CERCCLE (University of Bordeaux, France), a visiting professor at the University of Poitiers (France), a member of the international panel for the defense of doctoral dissertations for the degree of Doctor of Public Law (University of Toulon, France). In 2015 I was elected an associate member of the International Academy of Comparative Law.

Comparative law has long ceased to be the "Cinderella" of legal disciplines. It is not only an effective tool for study and development of national and international law, but also a multidisciplinary platform for international communication among lawyers of various legal schools and legal systems. It was the international communication aspect that allowed me to experience the inspiring influence of Russian and foreign lawyers on my professional growth. Gennady Esakov (specialist in comparative criminal law) and Alexander Ermolenko (specialist in comparative public law) had a positive impact on development of my career in Russia. I am grateful to Ferdinand Mélin-Soucramanien, my supervisor for a degree of Doctor of Public Law at the University of Bordeaux; professors William E. Butler, R. Legais (honorary president of the University of Poitiers, France), and Carlos-Miguel Herrera for the opportunity to participate in joint comparative projects, scientific forums, and programs. Among such projects, in particular, was a preparation of the first joint Franco-Russian textbook on comparative law;[1] an international study on the history of comparative law;[2] and a translation of the Part Four of the Civil Code of the Russian Federation into the French language with commentaries under the general editorship of R. Legais.

At the initial stage of my research career, I addressed the evolution of sources of law, and in particular legal custom. The result of this work in the field of

[1] Gennady A. Esakov, Nicholas Masek and Ferdinand Mélin-Soucramanien, *Les principes fondateurs des droits français et russes* (Paris, 2011).

[2] William E. Butler and Oleksyi V. Kresin (eds.), *Discovering the Unexpected: Comparative Legal Studies in Eastern and Central Europe* (2021).

comparative law was my thesis for the degree of candidate of legal sciences, published as a monograph,[3] which concluded:

(1) lawmaking and law enforcement activities become effective only if the conscious creativity of their subjects takes a worthy place in these processes. Conscious creative actions in this area objectively lead to a certain legal state of society: the emergence of new legal norms or reception of old ones necessary to meet the requirements of the new realities of social life;

(2) the specific character of legal custom as a social institution is manifested in the authentic character of its organization and activity – "self-regulation". Legal custom is a legal phenomenon that is produced and developed within the social group itself; it is not imposed from the outside, but is an independent, self-organizing, and self-regulating structure;

(3) the essence of legal custom is revealed by setting up both sides of its embodiment: material and spiritual. The first, so-called *diuturnus usus*, represents nothing other than the practice of a repeated and uniform application of a usual legal norm, the second – *opinio necessitatis* (spiritual) – is the conviction of certain individuals or social communities of the correctness of the rule of conduct contained in the customary legal norm and accordingly following it.

(4) when studying legal customs, it is important to refer to a wider range of social presentations than in the case of more recent sources of law (law and judicial precedent). These sources may include legal symbols, legal formulas, surveys of "informed people", and legal experts, as well as the folklore of a people, various proverbs, sayings, tales, legends and even songs. As Russian legal historian Nikolai Pavlovich Zagoskin (1851-1912) wrote, legal symbols were used by "infant peoples" to clothe their legal consciousness in some external manifestation, providing them with the form of rituals and certain symbols. These legal symbols may include support for conclusion of contracts of sale or donation by the visible transfer of a thing, or the mandatory support of a judicial process concerning the establishment of a right to a disputed thing, first, by the thing itself, and, second, by a symbolic image of the struggle for this thing;

(5) in historical retrospect, the epoch of the dominance of custom as a social regulator was replaced by the epoch of competition with other sources of law. As the evolution of the legal systems of Francophone Africa and Madagascar has shown, when the colonizers arrived, a dualism of legal regulation of social relations was established in the material sphere (legal custom, as a rule, extended only to the native population) and in the procedural sphere (separation of native justice from the system of European-style courts). There occurred a division of all existing customs into three types: (1) those whose content is included in a normative legal act; (2) the customs that retained the status of a fully-fledged regulator of social relations on an equal basis with a law and other normative legal acts; (3) the customs that were taken out of use by colonial authorities.

[3] M. V. Zakharova, Правовой обычай. Вопросы теории [Legal Custom. Theoretical Issues] (2006).

The right to sanction the customs was given to the French colonial administrations; the new principles for construction of a legal system were of secular and individualistic nature.

(6) nowadays, and in this aspect we must fully agree with Fedor Ivanovich Leontovich (1833-1910):

> the flow of events, increasingly overwhelming the remote suburban areas, quickly erodes the past, making it sometimes incomprehensible to our contemporaries, whereas many things from this tenacious past, disappearing from the surface, in reality only penetrate deeper and continue to influence somehow the entire structure of life relations.[4]

Next I addressed the development of the legal systems of the world. The result of this work was a dissertation for the degree of Doctor of Public Law (University of Bordeaux, France), as well as a series of scientific articles in Russian, English, and French and a monograph.[5] In these works, I presented an authentic model of comparative analysis based on several key provisions of legal doctrine:

(1) for the purposes of comparative identification of national legal orders, it is possible to construct a pyramid of objects of comparative law consisting of the following components: civilization and communities of legal systems (mega-level of comparison); ideological (cultural-value), functional, organizational and normative-legal elements of the legal system (micro-level of comparison); and, finally, *the legal system as such (meso-level of comparison)*;

(2) the structure of the legal system can be represented as a circular diagram: the core of the legal system (positive law) – the orbit of the legal system (legal practice, legal consciousness, and the legal culture of the national community). It is the qualitative features of the structure of the said objects of comparative law (legal systems) that allow us to highlight two of their qualitative patterns: *mononuclear and polynuclear legal systems*. Most modern legal systems can be classified as mononuclear. Legal systems with a polynuclear structural organization, on the contrary, have two or more styles of legal thinking as a basis. The most striking examples of the latter are the so-called "nomadic" legal systems (the province of Quebec in Canada, the state of Louisiana in the United States).

(3) one of the ideological criteria for identifying legal communities in the modern world can be the *style of legal thinking*, that is, the way (manner) of intellectual activity in the legal sphere. The specific features of the processes of legal understanding and law-making that exist in a national community are crucial for *distinguishing one style of legal thinking* from another. The analysis of these peculiarities in relation to the legal systems of various States allows us to speak of the existence of four main styles of legal thinking:

[4] F. II. Leontovich, Адаты кавказских горцев [Adats of Caucasian Highlanders] (Odessa, 1881). p. 2.

[5] Zakharova, Сравнительное правоведение. Вопросы теории и практики [Comparative Law. Theoretical and Practical Issues] (2020).

- - continental European (so named for its principal territorial distribution) focused primarily on the method of law formation that is external to the social environment (usually legislative);
- - Anglo-Saxon (named after the center of its genesis and development) based on the constants of sociological positivism; the process of law formation is primarily judicial, not legislative in nature;
- - traditional, common in States with the so-called "traditional" type of legal thinking and based upon the internal-social method of legal formation;
- - religious-doctrinal, which has become most widespread in theocratic and clerical States, and is based on the thesis that law is of a divine nature, its creation is a process of religious revelation, which is reproduced in material terms either by the authors of sacred books or by the doctrines of these texts.

I continued my work on the doctrine of legal systems of the world by elaborating the theory of legal maps of the world. In 2022, I defended a thesis on this issue at Kutafin University for the degree of Doctor of Law.[6] In my view, legal maps of the world are a general theoretical figurative legal construction designed to show the retrospective and perspective structuring of global legal space. I have concluded that:

> to demonstrate that the legal system is a functioning phenomenon on the legal maps of the world, we have to talk about three modes of functionality: (a) creation of law; (b) application of law; (c) interpretation of law. Legal communities of different groups demonstrate specific features in relation to each mode of functionality. Thus, religious legal systems, unlike similar legal systems of a secular nature, do not have a system of positive law to perform the functions of legal regulation. Sacred texts contain spiritual maxims having no regulatory potential. However, these legal systems use interpretative doctrinal practices of lawyers which perform law-making functions. And if sacred texts are immanent in their essence, then in the interpretation and teachings of lawyers we can trace to a certain extent the dynamic aspect of the development of religious legal systems (the exception is religious legal doctrines which are not subject to development, as are religious texts as such). Thus, the science of law here becomes law.

The interaction of legal systems is characterized through two pure models: one is nationally-closed, whereas the other is transporting. The second model manifests itself to the greatest extent in such development vectors as convergence, competition, and integration. The optimal path for the evolution of national legal systems on the legal map of the world should be such a vector in which they remain in touch with the whole, but do not cease to be particular; unity should not replace uniformity.

The convergence of law is possible at several levels: (1) the convergence of civilizations and legal communities (mega-level of convergence of law); (2) the convergence of legal systems (meso-level of convergence of law); (3.) the convergence of individual elements of legal systems (micro-level of convergence

[6] Zakharova, Учение о юридических картах мира [Doctrine on Legal Maps of the World] (2022) (dissertation for degree of doctor of legal sciences).

of law). Its potential for the evolution of the modern legal map in general should be assessed as positive. At the same time, we should also speak about the threats to its presentation on the legal map of the world. The main threat is erosion of the foundations of legal sovereignty of the legal systems of the world, that is, independence in determining the present and future national legal order in accordance with historical modes.

The main paradigms are dilemmas between which the subject of law enforcement makes its choice under conditions of the competition of legal systems are the following: "Common Law" – "Droit civil"; "Hard law" – "Soft law"; Secular legal tradition and religious legal tradition; State regulation – self-regulation. The integration level of interaction of legal systems can be traced on legal maps of the world by the mode of commonality of the cultural and historical path of the corresponding national legal orders (integration of legal systems in the European Union, in particular), as well as by the mode that can be characterized metaphorically as the "unity of the dissimilar" (integration of legal systems within the BRICS).

Integration as a form of the interaction of legal systems presupposes the dialectic of particular and general; universal and individual; due and existing. In particular, while referring to the experience of Eurasian integration, it should be emphasized that Eurasianism at the level of the idea of the early twentieth century has undergone a significant evolution compared to the real legal practices of the late twentieth – early twenty-first centuries. In part, the future has confirmed the conclusions and hopes of the Eurasians of the early twentieth century – integration took place on Eurasian soil. But its application was not national law, but integration law.

To acquire meaningful content, the legal maps of the world need to be assessed from both a spatial and a temporal perspective. New historical realities complement, transform, and sometimes eliminate previous legal realities and patterns. The category of law becomes a key concept underlying the construction of different legal eras. The following categories of law have become transformation vectors in the twenty-first century: (1) digitization of social relations leads to the list of creators of law being supplemented by new actors (the Google Law phenomenon); (2) the new forms of social normativity, as well as the new forms of interaction between law and ethical prescriptions are developing in the national orders of different states; (3) new concepts of ensuring the force of normative prescriptions are developed and introduced into legal practice (for example, the concept of graduated relative or diverse normativity (graduated relative normativity, diverse normativity) in connection with the phenomenon of "Soft Law"); (4) justice as a segment of the functional element of legal systems of the world is acquiring new features (the most noticeable issue in this regard is the development of two practices: transparency and predictive justice).

Until recently, legal systems and their communities were the central link of legal maps of the world. The rapid evolution of social relations in recent decades has led to the addition of new variables to legal maps of the world, and these variables are created and deployed not only by the State. They are characterized by the horizontal nature of construction of social-legal connections. The emergence of the said variables marks a new stage in the development of comparative law.

The new variables on the modern legal map of the world that directly influence its evolution include: lex genetica (a term invented by me), that is, the system of normative regulation of the issues of genetic testing and genetic therapy, as well as the social consequences of the said actions; digital law – a normative complex formed in the sphere of application or by means of application of digital technologies; "lex sportiva". These variables have both their own unique juridical and social nature and common features. First, the specific character of the subject of legal regulation of these variables has predetermined the synthetic nature of their law formation, which has a non-classical extra-State character. Second, the variables demonstrate the dialectics of the new (in comparison with the decentralized period in the development of legal systems) particularism and universalism of law. Third, currently they complement national legal systems, which act as classical objects on the legal map of the world. However, in future, perhaps, the evolution of these variables will lead global legal space to a large-scale transformation of the legal map of the world (for example, the development of digital law may lead to the emergence of a new global legal order, where nation-State and cultural-value peculiarities of the legal phenomenon will completely or partially disappear). The list of new variables is not closed or exhaustive. New social realities and challenges of the external environment may promote the emergence of other new variables on the legal map of the world.

In recent years I have been analyzing various aspects of the manifestation of a new legal tradition in connection with technogenic challenges of the external environment in different countries of the world.

The technologies that led to the emergence of a new legal tradition can be divided into two large groups:

- - the technologies that change the world around us (this type of technologies shows itself most clearly in the field of digitaization of processes and systems);
- - the technologies that change us (such technologies include, in particular, genetic technologies).

Manifestations of the new tradition can be found in various components of a legal phenomenon.

To such manifestations in the sphere of legal ontology, I attributed:

- - the emergence of new creators (in connection, in particular, with the phenomenon of Google law);
- - characterization of justice through new features and elements (these may include elements of the transparency of modern justice and introduction of predictive justice in certain countries (in particular, in certain states of the United States);
- - the emergence of a new group of subjective human rights, the so-called human rights of the Postmodern era, in which, as T. V. Meshcheriakova rightly noted, the human being not satisfied with the paradigms of a predetermined existence has begun to actively create himself.[7] Typical

[7] T. V. Mescheriakova, «Причины появления биоэтики» [The Reasons for Emergence of Bioethics], Вестник Томского государственного университета. – Философия. Социология. Политология [Herald of Tomsk State University. Philosophy. Sociology. Political Science] no. 4, (2010), p. 97.

examples of this group of human rights are somatic rights and the right to have a child using assisted reproductive and genetic technologies;

- - the need to implement new reception models related to the horizontal continuity of bio-legal regulations. In my research, I call this model carrot version 2.0. Such a metaphorical description of the essence of reception suggests that in addition to the diffusion of normative prescriptions as such (the so-called visible part of the carrot visually represented as a top), various social and bioethical components of implementation of a particular norm should be taken into account (invisible to the human eye, but no less important in the integral unity of the entire carrot, its tuber);
- - in the sphere of legal regulation of innovations, the emergence of a new legal structure, which I call "rules from exceptions". In the Russian Federation the striking example of rules from exceptions was the introduction of *an experimental legal regime* in accordance with amendments to Articles 6 and 10 of the Federal Law "On Personal Data" of 24 April 2020 in the City of Moscow from 1 July 2020. In foreign law, the examples of the rules from exceptions can be found in medical law: (1) Hospital Exemption; (2) Point-of-Care Manufacture.

In the sphere of legal axiology, the new legal tradition gives rise to new facets of interaction between the ethical and the legal in social regulation. And if we imagine law and morality in the circular model of the Swiss mathematician Leonhard Euler (1707-1783), we can see that the zones of joint social regulation of law and ethical prescriptions are expanding, and sometimes are supplemented in a bizarre way. We see similar transformations in the French Republic Law of 1994 "On Bioethics", as well as in the Report of the French National Commission on Computer Technologies and Civil Freedoms "On Ethical Algorithms of Artificial Intelligence" of December 2017. This document introduced the principle of reflexivity, which implies that the constant development and unpredictability of artificial intelligence require methodical, deliberative, and regular verification by all interested parties, including the ethical education of all those involved in development and use of artificial intelligence.[8]

In the sphere of legal gnoseology, the new tradition of law manifests itself to the greatest extent in the intensification of the interdisciplinary approach to the assessment of the legal phenomenon.

At present, in my view, the new tradition of law is at the initial stage of implementation by individual States and the entire global community. There are many predictions regarding its transformation potential. Artificial intelligence has the greatest potential to transform a new legal tradition into a new legal reality. In this case, the world may face the so-called "Mrs. Davis[9]" effect. Its deployment in social reality can potentially transform the legal map of the world into a kind of monochromatic mass, where there will no longer be a place for Jewish and Muslim law, Scandinavian and Anglo-Saxon law, and Romano-Germanic law. All of them will be substituted by the law of "Mrs. Davis". But of course, nowadays this assumption looks like utopia.

[8] For details: Commission Nationale De L' informatique Et Des Libertés (CNIL), Comment Permettre À L'homme De Garder La Main? [How to Keep Mankind in Control?] (December 2017) (available online).

[9] "Mrs. Davis" – is a metaphoric name of the artificial intelligence used in the eponymous film.

In addition to the fundamental principles of comparative law, I am involved in the practical aspects of legal life. I am experienced in expert, law enforcement, and law-making activities in the field of comparative law and bio law, including as a member of working groups, research teams, as a leader and executor of scientific projects.