

The Anti-Terrorist Function of the State

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Annotation: The article examines the importance of one of the main functions of the state, which is to protect state sovereignty and the constitutional system from such crimes as extremism and terrorism. The purpose of the article is to identify priority areas in countering terrorism, the search for a comprehensive effective implementation of the anti-terrorist function of the state: struggle; elimination of adverse consequences; prevention. To analyze the category of "anti-terrorist functions of the state" in combination with dialectical and systematic research methods and conceptual approaches to identify new forms of implementation.

Keywords: terrorism; extremism; protection of sovereignty; functions of the state; society; mechanisms; governance; counteraction.

In the current political situation in the Russian Federation, the issues of considering the anti-terrorist function of the state are of particular relevance. It should be noted that terrorism should be considered as an international phenomenon, since its manifestations are characteristic of various countries, it is a well-funded international system aimed at destroying both domestic and international security.

Turning to the consideration of the anti-terrorist function of the state, it should be noted that this function is one of the most important, since by implementing it the state ensures the protection of the basic constitutional rights of citizens, such as the right to life, the right to personal inviolability and freedom. Without a proper level of national security, it is impossible to talk about the implementation of other functions of the state. To date, for the most part, the provision of the anti-terrorist function of the state is carried out by analogy with the anti-criminal function, while its specificity and the presence of modern multilateral terrorist manifestations are not taken into account. This approach is erroneous in modern reality, since the anti-terrorist function of the state cannot be equated with the anti-criminal one. Also, the function in question cannot be reduced only to the prevention and fight against terrorism, since it differs in a certain feature, which is a necessary socio-political component of countering terrorism in modern reality. This is due to the fact that in the modern world terrorism requires the subjects of anti-terrorist activity to act ahead of the curve¹. At the same time, the priority areas of countering terrorism should be highlighted, firstly, the optimization of organizational and legal mechanisms; secondly, ensuring the conduct of ideological and psychological, as well as comprehensive information work; thirdly, the

¹ Mitz D.S. Complex anti-terrorist function of the state and law // Actual problems of Russian law. 2021. N 1. Pp. 31 - 40.

identification and destruction of methods of financing terrorist activities. In this regard, the anti-terrorist function of the state should be organized at all possible levels².

The nature of terrorist activity is taken into account in the process of political and legal support of the anti-terrorist functions of the state. In modern conditions, political and legal provisions on the prevention of terrorist manifestations deserve attention. The means of ensuring individual freedom is the formation of a civil society. In this activity, it is important to have opportunities to ensure the dynamics of human needs and interests³. The organizational and legal provisions of the anti-terrorist function of the State are often constructed by analogy with the function of the State to combat crime, without taking into account the nature and content of terrorism. In modern conditions, the fight against terrorism is based on the dynamics of people's needs and their protection from the spread of extremism and radicalism. Theories of state and law shed light on the specifics of the actualization of these socio-political phenomena and legal realities. Social support of anti-terrorist activities in modern conditions in order to prevent the manifestation of social conflicts is a key task of anti-terrorist policy. The theory of law contributes to the renewal of legal reality, based on the need for a combination of various means and methods. The legal basis for combating terrorism depends on current legal trends and prospects. The goal of the Legal Department is to find a comprehensive approach to the legal fight against terrorism.

Today, the Russian Federation is constantly working on the comprehensive implementation of the anti-terrorist function, the existing legal and technical barriers to terrorism in our state are constantly replenishing the current regulatory and legal framework with new counteraction tools. The development and improvement of the regulatory framework is not the least important in the implementation of the anti-terrorist function of the state. This activity is aimed at blocking socially dangerous behavior, it also regulates activities to combat terrorism, as well as regulates issues of responsibility, in connection with which we share the point of view of scientists who separately distinguish anti-terrorist law⁴. Implementing the anti-terrorist function, state bodies in their activities should pay considerable attention to the analysis and evaluation of normative legal acts and law enforcement practice in the field of countering terrorism, and subsequently make decisions on ways to improve the current legislation and methods of combating terrorism. Thus, the newly identified anti-terrorist law and the anti-terrorist function of the State are closely interrelated.

In our opinion, the following main directions of the implementation of the anti-terrorist function of the state should be highlighted:

- carrying out preventive measures;
- organization of activities to identify and suppress factors contributing to the existence of terrorism,
- organization of activities to identify and eliminate terrorist groups;
- organization of activities to eliminate the negative consequences of terrorism;
- organization of activities to improve the legal regulation of anti-terrorist activities.

A well-known fact is the presence of a high level of legal nihilism in modern society. In our opinion, one of the manifestations of the anti-terrorist function should be the fight against legal

² Petryanin A.V. Risks of lawmaking in the field of countering extremism // Legal technique. 2019. N 13. Pp. 576 - 578.

³ General theory of the state and law : textbook / edited by S. Y. Naumov, A. S. Mordovets, T. V. Kasaeva. Saratov, 2018. Pp. 116.

⁴ Kochoi S. M. Legislation on countering terrorism : a textbook. — M. : Prospect, 2021. Pp. 149

nihilism and the implementation of anti-terrorist legal propaganda in society. The holding of these events will help to increase the level of legal literacy of the population and the denial of terrorist ideas by society. In connection with the above, we consider it possible to talk about the manifestation of the above-mentioned function of the state, including in the form of monitoring for the political and legal formation of anti-terrorist potential at the level of the individual, society and the state.

Based on the above, we can state that the implementation of the anti-terrorist function is one of the most important activities of the modern state. Only by applying an integrated approach can we achieve victory over terrorism and the primacy of the realization of fundamental human and civil rights and freedoms in modern society.

In conclusion, I would like to note that the anti-terrorist function of the State in the current situation takes into account the views of the international community on topical issues of the fight against terrorism. Individual worldview is influenced by moderators of terrorist consciousness, creating conditions for attempts to replace the existing state-society system. The analysis of the main factors of terrorist orientation reflects the dynamics of moral and legal changes, and social contradictions under certain conditions can become the basis of the destructive complex "radicalism - enmity and hatred - extremism - terrorism". In this regard, the formation of civil society is an important characteristic of state processes, contributing to the optimization of the anti-terrorist function of the state. Such modern processes of legal regulation of countering terrorism tend to be steadily modernized.

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