

В системе местного управления (на уровне волости) низшим звеном являлись державцы. Державцы осуществляли правосудие над простыми людьми, которые жили на данной территории; отвечали за свою деятельность перед правительством ВКЛ.

Непосредственно крестьянами руководили сельские войты, сотники, сорочники, десятники. На землях, где проживали государственные крестьяне и отсутствовали замки или поместья, действовали органы крестьянского самоуправления — сельские собрания (сходы) и старцы. Сельские сходы распределяли налоги, разбирали споры между крестьянами и избирали старцев. Старцы наблюдали за выполнением общественных работ (строительство мостов, замков, дорог), собирали налоги, участвовали в осуществлении правосудия.

D. Valanciene
VU (Vilnius)

THE PARADIGM OF NEW SCIENCE — COMPLEX DYNAMIC SYSTEMS — AND ITS IMPORTANCE FOR RESEARCH IN LEGAL THEORY AND LEGAL HISTORY

Currently, the global paradigm of science is undergoing changes: the old, deterministic and mechanistic thinking based on absolute clarity, certainty, and search for objectivity is «struggling» with new (postmodern) science which is understood as science of complex dynamic systems by many researchers (I. Prigogine, S.A. Kauffman, S. Strogatz, J. Gleick, J. Elster, J.W. Forrester). Complex dynamic system: includes more than two elements which are interconnected by variable links; is a system which is difficult to understand, manage and predict. Together with global systems (J.W. Forrester), various social systems (J. Elster), biological systems (B. Goodwin; D. Noble), and natural systems (J. Gleick; M. Gell-Mann; I. Marshall, D. Zohar), law has been also attributed to complex dynamic systems (R.A. Posner; R. Dworkin; D. Patterson, G.T. Jones, J.B. Ruhl). It is of great importance to evaluate the potential of this new science for the science of law, first of all for its branches forming its methodology- legal theory and legal history. In the 20th century we were satisfied with the man-made and wholly-owned mechanism of law where every detail had a clear purpose and vision; however, at the beginning of the 21st century, we understand that law has never been and is not a system entirely managed by humans — it is governed by internal laws which cannot be changed by legislators or practitioners.

The new paradigm of science encourages studying reality using not a single methodology, but many of them. In the context of the science of law it would mean the pluralism not only of legal doctrines and schools, but also the possibility to view legal phenomena using, for example, the achievements of natural sciences. At present, there is more discussion about experimentalism (and empirical research) in the science of law

(M. C. Suchman; E. Mertz). Research in legal theory and legal history (as all other research in the science of law) could be carried out referring to different methodologies of other sciences, but for this reason it is necessary to know them, as well as to overcome certain stereotypes of legal thinking, for example, to recognize that law is not a unanimous «body» and a closed system. The new science does not «fragment» sciences into parts; science becomes integral, and in this perspective the science of law should become integral internally and in its relations with other sciences (a good example is neuro-jurisprudence).

The Department of Public Law at the Faculty of Law in Vilnius University, as well as the Institute of Legal History, established in it in 2009, as a research centre for the linear system of the Grand Duchy of Lithuania (GDL), devote some of their human and material resources for the investigations of problems in postmodern paradigm of Lithuanian science of law. This paradigm combining the elements of social sciences and humanities, physical, biomedical and technological sciences, has to help build and develop a pluralistic and non-confrontational model of the legal system of the GDL as a prototype for the European Union legal system. Alternative to the noble country was self-governing corporations — communities of churches, towns, villages and rural districts as well as religious and ethnic communities, which completed the public functions and provided a full range of legal services to their members, and each of them created and applied its own law (J. Machovenko, A. Vaisvila). The interrelations between those alternative law subsystems were primarily based on cooperation and not on competition. Looking at the GDL system of law from the nondeterministic thinking positions and interpreting it as a highly complex dynamic system, we will be able to explain how this «anarchic» — looking system worked 500 years ago and gave such fruits as the Lithuanian Statutes — the best at that time European legislation and the Constitution of 1791 — the first constitution in Europe and the second constitution in the world. GDL historical experience can be useful to overcome the negative trends that have occurred in the EU legal system.

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