

## TO THE ISSUE OF TOPICAL PROBLEMS OF INTERACTION BETWEEN LOCAL SELF-GOVERNMENT BODIES AND PUBLIC ASSOCIATIONS

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### Abstract

In this article the authors examine the issues of interaction between local self-government bodies and public associations. Separately, the authors analyze the principles and forms of such interaction. In the process of research, the imperfections of the legal regulation of interaction between local government bodies and public associations in the legislation of the Russian Federation were revealed. In particular, it is required to incorporate new forms of interaction and to incorporate in this legislation such a principle of local government as the need for interaction with local self-government bodies.

The formulated theoretical and practical conclusions should become the basis for legislative improvement of the mechanism of interaction between local self-government bodies and public associations.

**Keywords:** civil society; local government; local self-government bodies; municipal level; public associations.

### 1. INTRODUCTION

At the present stage of the national state development, the level of democracy plays an important role. The democracy index is the degree of influence of civil society institutions on the process of public authority. The development of interaction between the civil society institutions and local self-government bodies is of particular importance. This is due to the fact that local government represents the level of public authority which is the closest to the citizens. Therefore, it is impossible without participation of the municipality citizens in the management at the local public level (Mikheev, 2009). Domestic municipal practice shows an increase in the tendency towards the citizens' activity in addressing issues of local importance (Mikheeva & Likhoshva, 2016).

In turn, a significant number of civil society institutions are operated at the level of local government. Such institutions include the following: public associations, religious organizations, non-profit organizations, voluntary brigades for public order maintenance, voluntary fire brigades, public councils under the local government bodies, local and primary branches of political parties, public chambers of constituent entities (Mikheeva & Vavilov, 2013). Each of the designated institutions is an important component of the municipal civil society. However, one of the basic institutions of civil society at the local level is public associations.

The relevance of such inquiries is emphasized by various scientists. They note almost complete absence of legal regulation of the activities of civil society institutions at the municipal level, an imbalance in legislatively secured forms of influence of the local government bodies and civil society on each other (Vavilov & Mikheeva, 2016). The need for establishment of effective mechanisms for interaction between the authorities and public associations is indicated in the thesis work by V.V. Grib (Grib, 2011). Previously, we also noted that development of the effective civil society and the democracy enhancement is impossible without the legislative consolidation of effective and efficient forms of interaction between the local self-government bodies and public associations operating at the local level (Belousov & Gornev & Mikheeva, 2015).

In this regard, the forms and principles of interaction between the local self-government bodies and public associations shall be studied. The originality and timeliness of the issues under study include the need for appropriate theoretical and practical conclusions for the qualitative improvement of the legal regulation of the interaction mechanism between public associations and local self-government bodies.

## **2. OPINION AND DISCUSSION**

In the legal science, there are practically no studies devoted to the typology of forms of interaction between the local government bodies and public associations. However, the scientists actively analyze the forms of relationships between public authorities and public associations, the forms of interaction between state authorities and public associations, as well as the forms of activity of civil society institutions at the municipal level. Despite the fact that such concepts as "interaction" and "relationship" are not identical, some forms of relationships between the government bodies and public associations also have a certain interest for this study.

For example, V.V. Lysenko proposes the following forms of relations between the state authorities and public associations: support, interaction, consideration of opinions and suggestions, involvement in the preparation (development) of decisions, involvement in work with the government bodies, granting of oversight powers, expression of the state official position in relation to the public associations (political statements, decrees), government evaluation of the socially significant role of public associations; provision of public associations with the assistance on the part of the government and its bodies (economic support, etc.), cooperation in various fields, mutual consultation (Lysenko, 2001).

V.V. Grib studied in detail the issues of interaction between the civil society institutions and public authorities and proposed the following classification of legal forms of interaction between the civil society institutions and public authorities:

- forms of influence of the civil society institutions on public authorities (law-making initiative, participation in a referendum, participation in the law enforcement process, recall of a deputy, appeal of the citizens to state and local authorities, public control, public hearings, publication of statements and appeals in the mass media, joint events, participation of civil society institutions in the formation of state bodies, meetings);
- forms of influence of public authorities on the civil society institutions (control over the activities of civil society institutions, restrictions and prohibitions in the implementation of activities, financial support, provision of benefits, targeted programs, involvement of public authorities in the formation and functioning of the civil society institutions, participation in the activity of the social and civil associations, participation of public officials in the work of the governing bodies of various civil society institutions, including political parties and public associations) (Grib, 2011). All the designated forms, with the exception of prohibitions and restrictions in the implementation of activities, can equally be extended to the interaction of local government and public associations.

In our opinion, the following main legal forms of interaction between the local government and public associations can be identified:

- law-making initiative of public associations in relation to the issues of local importance;
- initiation of public hearings by the public associations and participation in them;
- written and oral appeals of public associations to the local self-government bodies;
- joint activities to address local issues on the part of the municipal authorities and public associations within the framework of permanent or temporary councils or commissions established under the local self-government bodies or as the independent structures (public chambers of the constituent entities of the Russian Federation, public chambers of municipalities, public councils under the local self-government bodies, etc.);

- public control over the activities of local self-government bodies by the associations;
- economic support of public associations by the local self-government bodies;
- conducting joint events aimed at addressing the issues of local importance.

The topical issues of interaction between the local governments with public associations also include study of the principles on the basis of which such relationship shall be based. In the theory of law, the principles mean the basic, initial grounds, provisions, ideas expressing the essence of law as a specific social regulator (Theory of government and rights, 2004).

The principle of publicity is one of the fundamental factors of legal regulation of interaction between the local governments and public associations. The principle of publicity in the legal regulation of interaction between the local government and public associations can be considered in the following aspects:

- public associations shall be able to receive full and comprehensive information on the activities of local government, including through the print and electronic media, oral and written appeals in the local self-government bodies, etc.;
- activities of public associations shall be open for the local self-government bodies that have the right to obtain the required information within the limits established by law;
- public associations shall be able to participate in addressing the issues of local significance with the benefit of various legislative forms, such as the law-making initiative, public hearings, etc.

Another important principle is the inadmissibility of unlawful interference of both local government bodies in the activities of public associations and civil associations in the activities of municipal bodies. Interaction between the local self-government bodies and public associations shall be effective only with the absence of unlawful interference and with provision of mutual support and assistance in addressing common problems aimed at improving the life of the local population and development of municipalities.

The following important principle of legal regulation of interaction between the local self-government bodies and public associations is the principle of joint activities to address the local important issues. This principle shall be reflected in the joint work of local governments and public associations in the specialized commissions, committees and councils established under local self-government bodies or as the independent structures to address the issues of local importance in cooperation with public associations.

Another special principle of interaction between the local self-government bodies and public associations is the equality of public associations in relation to the issues of interaction with the local self-government bodies. Its essence lies in the fact that public associations are equal among themselves in the legal possibilities of interaction with the local self-government bodies. Local authorities do not have any right to deny cooperation with some public associations while providing unreasonable preferences to other associations in the absence of legal grounds.

### **3. CONCLUSION**

Summarizing the above brief study of the current issues of interaction between the local self-government bodies and public associations, it is possible to note that identification of certain types of interaction between the local self-government bodies and public associations is an indispensable condition for their consolidation at the legislative level. In this regard, it is advisable to provide legislative improvement of current forms and conferring absent forms that shall have a positive effect on the status of public associations as a civil society subject at the municipal level.

We can identify the following forms of interaction between the local self-government bodies and public associations:

- law-making initiative of public associations in relation to the issues of local importance;
- initiation of public hearings by the public associations and participation in them;
- written and oral appeals of public associations to the local self-government bodies;
- joint activities to address local issues on the part of the municipal authorities and public associations;
- public control over the activities of local self-government bodies on the part of the associations;
- economic support of public associations by the local self-government bodies;
- conducting joint events aimed at addressing the issues of local importance.

We believe that a number of principles of interaction between the local self-government bodies and public associations must be consolidated at the legal level as well. Such principles include as follows:

- principle of publicity;
- inadmissibility of unlawful interference both of the local self-government bodies in the affairs of public associations and of civil associations in the activities of municipal bodies;
- principle of joint work to address local important issues;
- equal rights for various public associations to interact with the local self-government bodies.

The conclusions formulated in the present study shall allow raising the democracy level in modern Russia as well as shall have a positive impact on the development of the national civil society.

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