



# REVISTA INCLUSIONES

HOMENAJE A ANDRÉS DI MASSO TARDITTI

Revista de Humanidades y Ciencias Sociales

Volumen 7 . Número Especial

Abril / Junio

2020

ISSN 0719-4706

**CUERPO DIRECTIVO**

**Directores**

**Dr. Juan Guillermo Mansilla Sepúlveda**

*Universidad Católica de Temuco, Chile*

**Dr. Francisco Ganga Contreras**

*Universidad de Tarapacá, Chile*

**Subdirectores**

**Mg © Carolina Cabezas Cáceres**

*Universidad de Las Américas, Chile*

**Dr. Andrea Mutolo**

*Universidad Autónoma de la Ciudad de México, México*

**Editor**

**Drdo. Juan Guillermo Estay Sepúlveda**

*Editorial Cuadernos de Sofía, Chile*

**Editor Científico**

**Dr. Luiz Alberto David Araujo**

*Pontificia Universidade Católica de Sao Paulo, Brasil*

**Editor Brasil**

**Drdo. Maicon Herverton Lino Ferreira da Silva**

*Universidade da Pernambuco, Brasil*

**Editor Europa del Este**

**Dr. Aleksandar Ivanov Katrandzhiev**

*Universidad Suroeste "Neofit Rilski", Bulgaria*

**Cuerpo Asistente**

**Traductora: Inglés**

**Lic. Pauline Corthorn Escudero**

*Editorial Cuadernos de Sofía, Chile*

**Traductora: Portugués**

**Lic. Elaine Cristina Pereira Menegón**

*Editorial Cuadernos de Sofía, Chile*

**Portada**

**Lic. Graciela Pantigoso de Los Santos**

*Editorial Cuadernos de Sofía, Chile*

**COMITÉ EDITORIAL**

**Dra. Carolina Aroca Toloza**

*Universidad de Chile, Chile*

**Dr. Jaime Bassa Mercado**

*Universidad de Valparaíso, Chile*

**Dra. Heloísa Bellotto**

*Universidad de Sao Paulo, Brasil*

**Dra. Nidia Burgos**

*Universidad Nacional del Sur, Argentina*

**Mg. María Eugenia Campos**

*Universidad Nacional Autónoma de México, México*

**Dr. Francisco José Francisco Carrera**

*Universidad de Valladolid, España*

**Mg. Keri González**

*Universidad Autónoma de la Ciudad de México, México*

**Dr. Pablo Guadarrama González**

*Universidad Central de Las Villas, Cuba*

**Mg. Amelia Herrera Lavanchy**

*Universidad de La Serena, Chile*

**Mg. Cecilia Jofré Muñoz**

*Universidad San Sebastián, Chile*

**Mg. Mario Lagomarsino Montoya**

*Universidad Adventista de Chile, Chile*

**Dr. Claudio Llanos Reyes**

*Pontificia Universidad Católica de Valparaíso, Chile*

**Dr. Werner Mackenbach**

*Universidad de Potsdam, Alemania*

*Universidad de Costa Rica, Costa Rica*

**Mg. Rocío del Pilar Martínez Marín**

*Universidad de Santander, Colombia*

**Ph. D. Natalia Milanesio**

*Universidad de Houston, Estados Unidos*

**Dra. Patricia Virginia Moggia Münchmeyer**

*Pontificia Universidad Católica de Valparaíso, Chile*

**Ph. D. Maritza Montero**

*Universidad Central de Venezuela, Venezuela*

**Dra. Eleonora Pencheva**

*Universidad Suroeste Neofit Rilski, Bulgaria*

**Dra. Rosa María Regueiro Ferreira**

*Universidad de La Coruña, España*

**Mg. David Ruete Zúñiga**

*Universidad Nacional Andrés Bello, Chile*

**Dr. Andrés Saavedra Barahona**

*Universidad San Clemente de Ojrid de Sofía, Bulgaria*

**Dr. Efraín Sánchez Cabra**  
*Academia Colombiana de Historia, Colombia*

**Dra. Mirka Seitz**  
*Universidad del Salvador, Argentina*

**Ph. D. Stefan Todorov Kapralov**  
*South West University, Bulgaria*

**COMITÉ CIENTÍFICO INTERNACIONAL**

**Comité Científico Internacional de Honor**

**Dr. Adolfo A. Abadía**  
*Universidad ICESI, Colombia*

**Dr. Carlos Antonio Aguirre Rojas**  
*Universidad Nacional Autónoma de México, México*

**Dr. Martino Contu**  
*Universidad de Sassari, Italia*

**Dr. Luiz Alberto David Araujo**  
*Pontificia Universidad Católica de Sao Paulo, Brasil*

**Dra. Patricia Brogna**  
*Universidad Nacional Autónoma de México, México*

**Dr. Horacio Capel Sáez**  
*Universidad de Barcelona, España*

**Dr. Javier Carreón Guillén**  
*Universidad Nacional Autónoma de México, México*

**Dr. Lancelot Cowie**  
*Universidad West Indies, Trinidad y Tobago*

**Dra. Isabel Cruz Ovalle de Amenabar**  
*Universidad de Los Andes, Chile*

**Dr. Rodolfo Cruz Vadillo**  
*Universidad Popular Autónoma del Estado de Puebla, México*

**Dr. Adolfo Omar Cueto**  
*Universidad Nacional de Cuyo, Argentina*

**Dr. Miguel Ángel de Marco**  
*Universidad de Buenos Aires, Argentina*

**Dra. Emma de Ramón Acevedo**  
*Universidad de Chile, Chile*

**Dr. Gerardo Echeita Sarrionandia**  
*Universidad Autónoma de Madrid, España*

**Dr. Antonio Hermosa Andújar**  
*Universidad de Sevilla, España*

**Dra. Patricia Galeana**  
*Universidad Nacional Autónoma de México, México*

**Dra. Manuela Garau**  
*Centro Studi Sea, Italia*

**Dr. Carlo Ginzburg Ginzburg**  
*Scuola Normale Superiore de Pisa, Italia*  
*Universidad de California Los Ángeles, Estados Unidos*

**Dr. Francisco Luis Girardo Gutiérrez**  
*Instituto Tecnológico Metropolitano, Colombia*

**José Manuel González Freire**  
*Universidad de Colima, México*

**Dra. Antonia Heredia Herrera**  
*Universidad Internacional de Andalucía, España*

**Dr. Eduardo Gomes Onofre**  
*Universidade Estadual da Paraíba, Brasil*

**Dr. Miguel León-Portilla**  
*Universidad Nacional Autónoma de México, México*

**Dr. Miguel Ángel Mateo Saura**  
*Instituto de Estudios Albacetenses "Don Juan Manuel", España*

**Dr. Carlos Tulio da Silva Medeiros**  
*Diálogos em MERCOSUR, Brasil*

**+ Dr. Álvaro Márquez-Fernández**  
*Universidad del Zulia, Venezuela*

**Dr. Oscar Ortega Arango**  
*Universidad Autónoma de Yucatán, México*

**Dr. Antonio-Carlos Pereira Menaut**  
*Universidad Santiago de Compostela, España*

**Dr. José Sergio Puig Espinosa**  
*Dilemas Contemporáneos, México*

**Dra. Francesca Randazzo**  
*Universidad Nacional Autónoma de Honduras, Honduras*

# REVISTA INCLUSIONES

REVISTA DE HUMANIDADES  
Y CIENCIAS SOCIALES

**Dra. Yolando Ricardo**

*Universidad de La Habana, Cuba*

**Dr. Manuel Alves da Rocha**

*Universidade Católica de Angola Angola*

**Mg. Arnaldo Rodríguez Espinoza**

*Universidad Estatal a Distancia, Costa Rica*

**Dr. Miguel Rojas Mix**

*Coordinador la Cumbre de Rectores Universidades  
Estatales América Latina y el Caribe*

**Dr. Luis Alberto Romero**

*CONICET / Universidad de Buenos Aires, Argentina*

**Dra. Maura de la Caridad Salabarría Roig**

*Dilemas Contemporáneos, México*

**Dr. Adalberto Santana Hernández**

*Universidad Nacional Autónoma de México, México*

**Dr. Juan Antonio Seda**

*Universidad de Buenos Aires, Argentina*

**Dr. Saulo Cesar Paulino e Silva**

*Universidad de Sao Paulo, Brasil*

**Dr. Miguel Ángel Verdugo Alonso**

*Universidad de Salamanca, España*

**Dr. Josep Vives Rego**

*Universidad de Barcelona, España*

**Dr. Eugenio Raúl Zaffaroni**

*Universidad de Buenos Aires, Argentina*

**Dra. Blanca Estela Zardel Jacobo**

*Universidad Nacional Autónoma de México, México*

**Comité Científico Internacional**

**Mg. Paola Aceituno**

*Universidad Tecnológica Metropolitana, Chile*

**Ph. D. María José Aguilar Idañez**

*Universidad Castilla-La Mancha, España*

**Dra. Elian Araujo**

*Universidad de Mackenzie, Brasil*

**Mg. Rumyana Atanasova Popova**

*Universidad Suroeste Neofit Rilski, Bulgaria*

## CUADERNOS DE SOFÍA EDITORIAL

**Dra. Ana Bénard da Costa**

*Instituto Universitario de Lisboa, Portugal  
Centro de Estudios Africanos, Portugal*

**Dra. Alina Bestard Revilla**

*Universidad de Ciencias de la Cultura Física y el  
Deporte, Cuba*

**Dra. Noemí Brenta**

*Universidad de Buenos Aires, Argentina*

**Ph. D. Juan R. Coca**

*Universidad de Valladolid, España*

**Dr. Antonio Colomer Vialdel**

*Universidad Politécnica de Valencia, España*

**Dr. Christian Daniel Cwik**

*Universidad de Colonia, Alemania*

**Dr. Eric de Léséulec**

*INS HEA, Francia*

**Dr. Andrés Di Masso Tarditti**

*Universidad de Barcelona, España*

**Ph. D. Mauricio Dimant**

*Universidad Hebrea de Jerusalén, Israel*

**Dr. Jorge Enrique Elías Caro**

*Universidad de Magdalena, Colombia*

**Dra. Claudia Lorena Fonseca**

*Universidad Federal de Pelotas, Brasil*

**Dra. Ada Gallegos Ruiz Conejo**

*Universidad Nacional Mayor de San Marcos, Perú*

**Dra. Carmen González y González de Mesa**

*Universidad de Oviedo, España*

**Ph. D. Valentin Kitanov**

*Universidad Suroeste Neofit Rilski, Bulgaria*

**Mg. Luis Oporto Ordóñez**

*Universidad Mayor San Andrés, Bolivia*

**Dr. Patricio Quiroga**

*Universidad de Valparaíso, Chile*

**Dr. Gino Ríos Patio**

*Universidad de San Martín de Porres, Perú*

**REVISTA  
INCLUSIONES**  
REVISTA DE HUMANIDADES  
Y CIENCIAS SOCIALES

**Dr. Carlos Manuel Rodríguez Arrechavaleta**  
*Universidad Iberoamericana Ciudad de México, México*

**Dra. Vivian Romeu**  
*Universidad Iberoamericana Ciudad de México, México*

**Dra. María Laura Salinas**  
*Universidad Nacional del Nordeste, Argentina*

**Dr. Stefano Santasilia**  
*Universidad della Calabria, Italia*

**Mg. Silvia Laura Vargas López**  
*Universidad Autónoma del Estado de Morelos, México*

**CUADERNOS DE SOFÍA  
EDITORIAL**

**Dra. Jaqueline Vassallo**  
*Universidad Nacional de Córdoba, Argentina*

**Dr. Evandro Viera Ouriques**  
*Universidad Federal de Río de Janeiro, Brasil*

**Dra. María Luisa Zagalaz Sánchez**  
*Universidad de Jaén, España*

**Dra. Maja Zawierzeniec**  
*Universidad Wszechnica Polska, Polonia*

Editorial Cuadernos de Sofía  
Santiago – Chile  
Representante Legal  
Juan Guillermo Estay Sepúlveda Editorial

## Indización, Repositorios y Bases de Datos Académicas

Revista Inclusiones, se encuentra indizada en:





REX



UNIVERSITY OF SASKATCHEWAN



Universidad de Concepción

BIBLIOTECA UNIVERSIDAD DE CONCEPCIÓN



**LEGAL FOUNDATIONS OF LOCAL SELF-GOVERNMENT IN RUSSIA**

**Ph. D. (C) Evgeny Sergeevich Kuchenin**

Russian State Social University (RSSU), Russian Federation

ORCID ID: 0000-0002-3667-2680

KucheninES@rgsu.net

**Dr. Igor Yurievich Nikodimov**

Russian State Social University (RSSU), Russian Federation

ORCID ID: 0000-0001-9111-2881

NikodimovIJU@rgsu.net

**Ph. D. Igor Olegovich Loshkarev**

Russian State Social University (RSSU), Russian Federation

ORCID ID: 0000-0002-9011-839X

LoshkarevIO@rgsu.net

**Ph. D. (C) Elena Olegovna Tchinaryan**

Russian State Social University (RSSU), Russian Federation

ORCID ID: 0000-0003-4753-2226

chinarjaneo@rgsu.net

**Fecha de Recepción:** 22 de noviembre de 2019 – **Fecha Revisión:** 23 de enero de 2020

**Fecha de Aceptación:** 18 de marzo de 2020 – **Fecha de Publicación:** 01 de abril de 2020

**Abstract**

The article is devoted to the study of the structure and functions of local self-government in the Russian Federation. Both general and special scientific methods of cognition have been used. The general scientific methods include induction, deduction and system analysis. Statistical, analytical, formal-legal and system-structural methods are applied as well. The constitutional and legal essence of local self-government and its position in the system of bodies possessing authority are revealed. The purpose of this article is to study the legal foundations of local self-government in the Russian Federation. As a result, it is concluded that local self-government and state power are forms of public power that exist in the Russian state. The legislative regulation of local self-government at the federal and regional levels through normative legal acts and in the statutes of municipalities at the local level is established. The structure of local self-government is described, which includes the possibility of the formation of other bodies and officials of local government. The main functions of local self-government are revealed. The existing models of local government organization are established, including the traditional model of local government, "elected mayor and strong manager", "city-manager", "council-commission" and "leader-cabinet".

**Keywords**

Local self-government – Issues of local significance – Structure – Legal framework



**Para Citar este Artículo:**

Kuchenin, Evgeny Sergeevich; Nikodimov, Igor Yurievich; Loshkarev, Igor Olegovich y Tchinaryan, elena Olegovna. Legal foundations of local self-government in Russia. Revista Inclusiones Vol: 7 num Especial (2020): 29-41.

Licencia Creative Commons Attribution Non-Comercial 3.0 Unported  
(CC BY-NC 3.0)

Licencia Internacional



## Introduction

In the Russian Federation, bodies of state power and local self-government interact with each other. This relationship is mutual. Their relationship is based on the principles of respect, legality, coordination of interests and mutual responsibility. Local government is of great importance and plays a significant role in the concept of government. The implementation of the relationship between society and country falls within its competence. Local self-government has signs of public authority – a binding arbitration of local authorities for the population living in this municipality.

Local self-government is carried out through the implementation of the functions of municipal management. To that end, municipal institutions form apparatuses of local self-government. Researching on the legal foundations of local self-government in the Russian Federation is of great importance for understanding the essence, significance and direction of development of local government in the modern world, including in Russia. Since the activities of local authorities are of public power in nature, there may be a causal relationship between the absence of local authorities in the system of state bodies and the legislatively fixed structure of local governments.

The formation of a successful model of local self-government implies the implementation of power, as a result of which, local issues are resolved by district authorities, under their responsibility. Compliance with these provisions contributes to the creation of a management system for the effective and coordinated implementation of the most important interests of residents of municipal corporations.

The necessary attention to this problem has not been paid in the scientific literature despite the obvious relevance of the study on the legal foundations of local self-government in the Russian Federation. Nevertheless, various authors still conduct research on some aspects of the problem of the legal foundations of local self-government in Russia.

Some ways of solving this problem have been revealed in fundamental research by Yu.V. Blagov, O.E. Kutafin and V.I. Fadeev, as well as E.S. Shugrina.

Some aspects of the legal foundations of local self-government in the Russian Federation have been studied in scientific articles by I.R. Aminov<sup>1</sup>, D.M. Bashkaeva<sup>2</sup>, O.V. Begnazarova<sup>3</sup>, S.V. Bukalova<sup>4</sup>, D.V. Davtyan<sup>5</sup>, Sh.R. Zaripov<sup>6</sup>, T.E. Zulfugarzade<sup>7</sup>, Yu.A.

---

<sup>1</sup> I. R. Aminov, "Organy gosudarstvennoi vlasti i mestnoe samoupravlenie: problemy i perspektivy vzaimodeistviya", Vestnik Ufimskogo yuridicheskogo instituta MVD Rossii, num 1 Vol: 71 (2016): 25-29.

<sup>2</sup> D. M. Bashkaeva, Rol predstavitelnykh organov v sisteme mestnogo samoupravleniya v sovremennoi Rossii, Aktualnye voprosy prava, ekonomiki i upravleniya: sbornik statei XV Mezhdunarodnoi nauchno-prakticheskoi konferentsii. (Penza: Nauka i Prosveshchenie, 2018).

<sup>3</sup> O. V. Begnazarova, Kadrovaya politiki v mestnom samoupravlenii, European research. Sbornik statei XIX Mezhdunarodnoi nauchno-prakticheskoi konferentsii (Penza: Izd-vo "Nauka i Prosveshchenie", 2019).

<sup>4</sup> S. V. Bukalova, "Razvitie territorialnogo obshchestvennogo samoupravleniya: Orlovskii opyt", Srednerusskii vestnik obshchestvennykh nauk, num 1 (2018): 144-152.

<sup>5</sup> D. V. Davtyan, "Tendentsiya razvitiya grazhdanskoi aktivnosti v mestnom samoupravlenii", Alleya nauki, num 11 Vol: 27 (2018): 601-604.

Kaizerova<sup>8</sup>, K.S. Kasatkin<sup>9</sup>, S.V. Korzh<sup>10</sup>, A.V. Kornaukhov<sup>11</sup>, Ya.P. Lagunov, T.P. Lagunova<sup>12</sup>, S.A. Menzarar<sup>13</sup>, A.V. Novokreschenov<sup>14</sup>, G.P. Puchkov<sup>15</sup>, E.V. Reutov<sup>16</sup>.

Certain aspects of the problem are also addressed by some foreign authors: Peter H., Solomon Jr.<sup>17</sup>, J. David, V.P. Valeri and D.D. Larry<sup>18</sup>, V. Benevolenski and S. Toepler<sup>19</sup>, Y. Griewald, G. Clemens, J. Kamp, E. Gladun and N. Hölzel<sup>20</sup>, C. Qu, D. Wen-Bin and G. Yun<sup>21</sup>.

## Methods

Both general and special scientific methods of cognition were used in the research. The general scientific methods that were used in the study include system analysis, induction and deduction. Analytical, statistical, systemic-structural, formal-legal methods were applied from the number of special scientific methods. The analytical method allowed conducting a legal analysis of the ratio of the population of municipalities and local self-government bodies formed by them initially in its aspects, then in the form of a single and

<sup>6</sup> Sh. R. Zaripov, "K voprosu o delegirovani polnomochii mestnomu samoupravleniyu", Vestnik sovremennykh issledovaniy, Vol: 12 num 2 (2018): 43-45.

<sup>7</sup> T. E. Zulfugarzade, "Sovremennaya sistema i struktura organov mestnogo samoupravleniya v Rossiiskoi Federatsii", Gornyi informatsionno-analiticheskii byulleten, num 8 (2012): 254-260.

<sup>8</sup> Yu. A. Kaizerova, "Vzaimodeistvie organov gosudarstvennoi vlasti s mestnym samoupravleniem", Alleya nauki, num 16 (2017): 246-249.

<sup>9</sup> K. S. Kasatkin, "Mestnoe samoupravlenie v RF: problemy vzaimodeistviya s organami gosudarstvennoivlasti", Vostochno-Evropeskii nauchnyi vestnik, num 8 (2015): 43-46.

<sup>10</sup> S. V. Korzh, Evolyutsiya form uchastiya naseleniya v mestnom samoupravlenii, Nauchnye dostizheniya i otkrytiya sovremennoi molodezhi. Sbornik statei pobeditelei mezhdunarodnoi nauchno-prakticheskoi konferentsii: v 2 chastyakh (Penza: Izd-vo "Nauka i Prosveshchenie", 2017).

<sup>11</sup> A. V. Kornaukhov, "Sochetanie v mestnom samoupravlenii interesov naseleniya regionov i gosudarstva", Ustoichivoe razvitie nauki i obrazovaniya, num 2 (2017): 114-118.

<sup>12</sup> Ya. P. Lagunov y T. P. Lagunova, "Mestnoe samoupravlenie: struktura organov mestnogo samoupravleniya, otsenka effektivnosti ikh deyatel'nosti", Vestnik Izhevskogo gosudarstvennogo tekhnicheskogo universiteta, num 4 (2011): 84-86.

<sup>13</sup> S. A. Menzarar, "Formy i praktiki uchastiya grazhdan v mestnom samoupravlenii", Evraziiskii soyuz uchenykh, num 1-2 Vol: 34 (2017): 18-20.

<sup>14</sup> A. V. Novokreschenov, "Ot mestnykh sovetov k mestnomu samoupravleniyu i obratno", Vlast i upravlenie na Vostoke Rossii, num 1 Vol: 82 (2018): 23-29.

<sup>15</sup> G. P. Puchkov, "Metody sovershenstvovaniya organizatsionnoi struktury mestnoi Administratsii", Tsentralnyi nauchnyi vestnik, num 12 Vol: 53 (2018): 66-68.

<sup>16</sup> E. V. Reutov, "Obshchestvennoe uchastie v mestnom samoupravlenii kak faktor solidarizatsii soobshchestv i prikladnaya problema", Upravlenie gorodom: teoriya i praktika, num 4 Vol: 31 (2018): 18-26.

<sup>17</sup> H. Peter and Jr. Solomon, Courts And Transition In Russia: The Challenge Of Judicial Reform. 2018. Available at: <https://doi.org/10.4324/9780429501258>

<sup>18</sup> J. David, O' B.; V. P. Valeri and D. D. Larry, Household Capital and the Agrarian Problem in Russia. 2017. Available at: <https://doi.org/10.4324/9781315192970>

<sup>19</sup> V. Benevolenski and P. Toepler, Modernizing social service delivery in Russia: evolving government support for non-profit organizations. 2017. Available at: <https://doi.org/10.1080/09614524.2017.1259392>

<sup>20</sup> Y. Griewald; G. Clemens; J. Kamp; E. Gladun and N. Hölze, Developing land-use scenarios for stakeholder participation in Russia. 2017. Available at: <https://doi.org/10.1016/j.landusepol.2017.07.049>

<sup>21</sup> C. Qu; D. Wen-Bin and G. Yun, Russia forest resource management. 2017. Available at: <https://doi.org/10.26480/mjsa.02.2017.12.14>.

integral phenomenon. The statistical method was used to analyze various statistical data that were related to the models of local self-government organization in municipalities.

Structural links were established on the basis of the system-structural method between the absence of local authorities in the system of state bodies and the legally fixed structure of local self-government bodies. Using the formal-legal method, the legal norms of the Constitution of the Russian Federation, Federal Law No. 131 FL of October 6, 2003 "On the General Principles of the Organization of Local Self-Government in the Russian Federation", other federal legislation, the legislation of the subjects of the Russian Federation and acts of local self-government were investigated and analyzed.

This scientific research was carried out in stages (Table 1). Originally, the topic of the study was determined and its relevance was justified. Further, the purpose and objectives of the study were defined. A search and study of scientific literature on this issue were carried out. Later, the choice of research methods and their justification were carried out. Further, data on the problem under study were obtained, processed and analyzed. After conducting the research, conclusions were formulated and the range of unresolved issues that may be resolved in future studies was determined.

<b>Stages of scientific research</b>	
1.	Definition of the scientific research topic.
2.	Substantiation of the relevance of scientific research.
3.	Definition of the purpose and objectives of scientific research.
4.	Search and study of scientific literature.
5.	Choice of scientific research methods and their justification.
6.	Data acquisition, processing, and analysis.
7.	Formulation of conclusions.
8.	Determination of the range of unresolved issues.

Table 1  
Stages of the research

## Results

The study revealed that the activity of the population of municipalities and local self-government bodies formed by them is a form of implementation of democracy and has a public-power character. Local authorities are not included in the system of state authorities. Despite this, these bodies may be given some state powers to effectively and quickly resolve issues of local importance. Therefore, local self-government and state power are forms of public power that exist in the Russian Federation.

It was established that the legislative regulation and legal status of local self-government are fixed both at the federal and regional levels and in the statutes of municipalities at the local level. These documents specify the main provisions related to the activities of local self-government bodies and their structure. There are also other documents regulating the activities of individual local authorities. These provisions specify certain powers of the relevant body, without changing its competence established by the Charter.

It is necessary to recognize the cause-and-effect relationship between the absence of local authorities in the system of state bodies and the legislatively fixed structure of local self-government bodies – the presence of control and other bodies, officials of local

government, fixed in the Charter of a municipality and having their powers in solving local issues.

Five current models of local self-government organizations in the Russian Federation were identified: the traditional model, "city-manager", "elected mayor and strong manager", "leader-cabinet" and "council-commission".

It was revealed that 11 urban districts (13%), which are the administrative centers of the respective constituent entities of the Russian Federation out of 85 constituent entities of the Russian Federation, have chosen (retained) the traditional organizational model of local self-government, 32 (39.2%) – "city-manager", 1 (1.2%) – "elected mayor and strong manager", 5 (6.2%) – "leader-cabinet", 33 (40,1%) – "council-commission".

## Discussion

According to D.V. Davtyan, local self-government provides an independent solution to issues of local importance by the population (citizens) living in the territory of the Russian state<sup>22</sup>. The local government also owns, uses and disposes of municipal property. Ya.P. Lagunov and T.P. Lagunova note that local self-government can be implemented by direct expression of the will of the people: elections, local referendums, through elected and other local self-government bodies<sup>23</sup>.

Local self-government is carried out throughout the territory of the Russian Federation in municipalities that are formed following the procedure established by current legislation and have different names (urban, rural settlements, urban districts). Sh. R. Zaripov believes that each municipality is endowed with all the necessary resources to address issues of local importance: local budget, municipal property and self-government bodies, including elected ones<sup>24</sup>.

According to T.E. Zulfugarzade, the activity of the population of municipalities and local self-government bodies formed by them, has a public-power character, as it is a form of democracy implementation<sup>25</sup>.

Local self-government bodies are not included in the system of state authorities in accordance with Article 12 of the Constitution of the Russian Federation. However, Article 132 of the Basic Law of the Russian Federation establishes a provision, according to which, these bodies may be granted certain state powers for faster and more effective resolution of local issues. Given this, E.V. Reutov notes that local self-government and state power are forms of public power that exist in the Russian state<sup>26</sup>.

<sup>22</sup> D. V. Davtyan, "Tendentsiya razvitiya grazhdanskoi aktivnosti v mestnom samoupravlenii", *Alleya nauki*, num 11 Vol: 27 (2018): 601-604.

<sup>23</sup> Ya. P. Lagunov y T. P. Lagunova, "Mestnoe samoupravlenie: struktura organov mestnogo samoupravleniya, otsenka effektivnosti ikh deyatelnosti", *Vestnik Izhevskogo gosudarstvennogo tekhnicheskogo universiteta*, num 4 (2011): 84-86.

<sup>24</sup> Sh. R. Zaripov, "K voprosu o delegirovani polnomochii mestnomu samoupravleniyu", *Vestnik sovremennykh issledovaniy*, Vol: 12 num 2 (2018): 43-45.

<sup>25</sup> T. E. Zulfugarzade, "Sovremennaya sistema i struktura organov mestnogo samoupravleniya v Rossiiskoi Federatsii", *Gornyi informatsionno-analiticheskii byulleten*, num 8 (2012): 254-260.

<sup>26</sup> E. V. Reutov, "Obshchestvennoe uchastie v mestnom samoupravlenii kak faktor solidarizatsii soobshchestv i prikladnaya problema", *Upravlenie gorodom: teoriya i praktika*, num 4 Vol: 31 (2018): 18-26.

However, it is necessary to take into account the fact that local self-government is the lowest, primary level of power, the closest to the population living on the territory of the Russian Federation. In view of this, the rights of citizens of the Russian Federation to participate in management are implemented directly at the municipal and local levels. According to the European Charter (ratified by Federal Law of April 11, 1998 No. 55-FL "On Ratification of the European Charter of Local Self-Government") and in accordance with Article 15 of the Constitution, local self-government provides both efficient and closely aligned to citizens administration.

Fixing the legal status of local self-government, Federal Law of October 6, 2003 No. 131 FL "On the General Principles of the Organization of Local Self-Government in the Russian Federation" directly indicates the existence of legal boundaries in determining the ways and forms of independent decision-making by citizens of local issues for Federal Laws, in some cases for the laws of the subjects of the Russian Federation. Thus, an important constitutional and legal guarantee is implemented – the independence of local self-government from the authorities of the subjects of the Russian Federation.

It should be noted that local issues (Article 14 of the Federal Law of October 6, 2003 No. 131 FL) are understood as issues related to the direct provision of life for residents of municipalities. The solution of these issues is carried out by the population independently or with the help of local governments, including elected ones<sup>27</sup>.

Federal Law No. 131 FL of October 6, 2003, provides for the possibility of local self-government bodies to resolve other issues. This normative legal act establishes conditions for the possibility of solving other issues by local authorities: first, they should not be assigned to other state authorities and second, they should be provided with their material and financial resources. In addition, Federal Law No. 131 FL of October 6, 2003 established various lists of issues of local significance for municipalities with different legal status (urban or rural settlement, municipal district, urban district). For inner-city municipalities in the structure of cities with federal status, this list is established by the normative legal acts of these cities. According to O.V. Begnazarova, the legal status and legislative regulation of local self-government are fixed both at the federal and regional levels and at the local level, first of all, in the statutes of municipalities. These documents specify the main provisions related to the structure and activities of local self-government bodies<sup>28</sup>. In addition, there are other documents – for example, regulations governing the activities of individual local government bodies (representative body, administration, headman, control body). These provisions specify certain powers of the relevant body, without changing its competence established by the Charter.

K.S. Kasatkin believes that issues related to the competence of local self-government bodies under Russian legislation should be resolved by them independently, without the intervention of state authorities<sup>29</sup>.

<sup>27</sup> C. Qu; D. Wen-Bin and G. Yun, Russia forest resource management. 2017. Available at: <https://doi.org/10.26480/mjsa.02.2017.12.14>.

<sup>28</sup> O. V. Begnazarova, Kadrovaya politiki v mestnom samoupravlenii, European research. Sbornik statei XIX Mezhdunarodnoi nauchno-prakticheskoi konferentsii (Penza: Izd-vo "Nauka i Prosveshchenie", 2019).

<sup>29</sup> K. S. Kasatkin, "Mestnoe samoupravlenie v RF: problemy vzaimodeistviya s organami gosudarstvennoivlasti", Vostochno-Evropeskii nauchnyi vestnik, num 8 (2015): 43-46.

G.P. Puchkov notes that the Constitution of the Russian Federation does not specify what exactly should be understood by the structure of local self-government bodies. However, it is possible to assume that this should be considered a list of local self-government bodies (elected or otherwise) with a description of the mechanisms of their interaction<sup>30</sup>. The structure of bodies should be formed based on the general principles of the organization of the system of local self-government in a particular municipality and under its Charter. It is also necessary to take into account the fact that the concepts "local self-government bodies" and "officials of local self-government" are not mutually exclusive: an official may act as a local authority.

The structure of local governments includes:

- representative body<sup>31</sup>;
- head of the municipality<sup>32</sup>;
- administration (or other executive and administrative body)<sup>33</sup>;
- supervisory body<sup>34</sup>;
- other bodies and officials of local self-government, fixed in the Charter of the municipality and having their powers in solving issues of local importance<sup>35</sup>.

Yu.A. Kaizerova argues that since local self-government bodies are not part of the system of state authorities, Russian law allows the creation of control and other bodies, officials of local self-government<sup>36</sup>. The presence of a head, executive-administrative and representative body in the structure of local self-government bodies is mandatory, except in certain cases provided for by Federal Law No. 131 FL of October 6, 2003. For example, in accordance with Article 9 of the Charter of the Zhukovsky city district, the structure of local self-government of the city district includes a representative body – the Council of Deputies, the highest official – the Head of the City District and an executive and administrative body – the Administration. Also, the structure of local self-government bodies of the Zhukovsky city district may include a control and accounting body – the control and accounting chamber (Article 38 of the Charter).

<sup>30</sup> G. P. Puchkov, "Metody sovershenstvovaniya organizatsionnoi struktury mestnoi Administratsii", *Tsentralnyi nauchnyi vestnik*, num 12 Vol: 53 (2018): 66-68.

<sup>31</sup> Y. Griewald; G. Clemens; J. Kamp; E. Gladun and N. Hölzel, *Developing land-use scenarios for stakeholder participation in Russia*. 2017. Available at: <https://doi.org/10.1016/j.landusepol.2017.07.049>

<sup>32</sup> S. V. Korzh, *Evolutsiya form uchastiya naseleniya v mestnom samoupravlenii*, *Nauchnye dostizheniya i otkrytiya sovremennoi molodezhi. Sbornik statei pobeditelei mezhdunarodnoi nauchno-prakticheskoi konferentsii: v 2 chastyakh* (Penza: Izd-vo "Nauka i Prosveshchenie", 2017).

<sup>33</sup> H. Peter and Jr. Solomon, *Courts And Transition In Russia: The Challenge Of Judicial Reform*. 2018. Available at: <https://doi.org/10.4324/9780429501258>

<sup>34</sup> J. David; O' B., V. P. Valeri and D. D. Larry, *Household Capital and the Agrarian Problem in Russia*. 2017. Available at: <https://doi.org/10.4324/9781315192970>

<sup>35</sup> A. V. Kornaukhov, "Sochetanie v mestnom samoupravlenii interesov naseleniya regionov i gosudarstva", *Ustoichivoe razvitie nauki i obrazovaniya*, num 2 (2017): 114-118.

<sup>36</sup> Yu. A. Kaizerova, "Vzaimodeistvie organov gosudarstvennoi vlasti s mestnym samoupravleniem", *Alleya nauki*, num 16 (2017): 246-249.

According to I.R. Aminov, the main issues of activity of local self-government bodies, such as the order of formation, scope and terms of office, control and accountability, as well as some other issues of organization and functioning, can be determined both by the Charter and its separate provisions<sup>37</sup>.

Changes in the structure of local self-government bodies are made exclusively through amendments to the statutes of municipalities and the corresponding decision of representative bodies may enter into force no earlier than the end of the term of office of the representative bodies that made the corresponding decision.

The list of powers of local government allows identifying its main functions:

- ensuring the participation of the population in solving local issues<sup>38</sup>;
- management of municipal property, financial resources of local self-government. In accordance with Part 1 of Article 132 of the Constitution of the Russian Federation, local authorities independently decide on the management of the municipal property – its possession, use and disposal. They also independently exercise the authority to form, adapt and implement the local budgets. The performance of this function is one of the necessary prerequisites for the well-coordinated and effective work of local self-government bodies;
- ensuring the development of the relevant territory. According to the current Russian legislation, local governments adopt and approve programs of socio-economic development of their territory and manage the municipal economy, thus providing a comprehensive solution to issues of economic and socio-cultural development<sup>39</sup>;
- ensuring the needs of the population in vital services – municipal, household, social and cultural. This function is provided by such powers of local governments as providing residential premises, creating conditions for mass sports, physical culture, tourism, medical care, leisure, free education, library services<sup>40</sup>;
- protection of public order, ensuring the rule of law<sup>41</sup>. This function is provided by the powers of local self-government bodies in such matters of local importance as the prevention of extremism and terrorism, fire safety measures, prevention and liquidation of emergencies, as well as corruption;

---

<sup>37</sup> I. R. Aminov, "Organy gosudarstvennoi vlasti i mestnoe samoupravlenie: problemy i perspektivy vzaimodeistviya", Vestnik Ufimskogo yuridicheskogo instituta MVD Rossii, num 1 Vol: 71 (2016): 25-29.

<sup>38</sup> O. E. Kutafin and V. I. Fadeev, *Munitsipalnoe pravo Rossiiskoi Federatsii: uchebnik. - 3-e izd., pererab. i dop.* (Moscow: Prospect, 2011).

<sup>39</sup> D. M. Bashkaeva, *Rol predstavitelnykh organov v sisteme mestnogo samoupravleniya v sovremennoi Rossii, Aktualnye voprosy prava, ekonomiki i upravleniya: sbornik statei XV Mezhdunarodnoi nauchno-prakticheskoi konferentsii.* (Penza: Nauka i Prosveshchenie, 2018).

<sup>40</sup> S. V. Bukalova, "Razvitie territorialnogo obshchestvennogo samoupravleniya: Orlovskii opyt", *Srednerusskii vestnik obshchestvennykh nauk*, num 1 (2018): 144-152.

<sup>41</sup> V. Benevolenski and P. Toepler, *Modernizing social service delivery in Russia: evolving government support for non-profit organizations.* 2017. Available at: <https://doi.org/10.1080/09614524.2017.1259392>



- protection of the rights and interests of local self-government guaranteed by the Constitution of the Russian Federation and legislation. E.S. Shugrina believes that federal state authorities, bodies of subjects of the Russian Federation, have no right to restrict the rights of local self-government<sup>42</sup>. In turn, local governments have the right to apply for the protection of their rights in the courts in accordance with Article 133 of the Constitution of the Russian Federation. All identified functions of local self-government complement each other and are interrelated.

Federal Law No. 136-FL of May 27, 2014 "On Amendments to Article 26.3 of the Federal Law 'On General Principles of Organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of The Russian Federation' and the Federal Law 'On General Principles of Organization of Local Self-Government in the Russian Federation'" establish three main models of organization of local self-government. According to the first, in the view of S. A. Menzarar, the traditional model, the head of the municipality is elected using direct election and becomes the head of the local administration<sup>43</sup>.

A.V. Novokreschenov argues that the second model involves the election of the head of the representative body with the simultaneous replacement of the post of Chairman of the representative body. The head of the administration, in this case, is appointed under a contract, which is concluded on behalf of the representative body based on the results of the competition (model "city-manager" or "council-manager")<sup>44</sup>. In the third model, the head of the municipality is elected in direct elections and heads the representative body while the head of administration is appointed by contract (model "elected mayor and strong manager").

Along with this, Federal Law No. 8-FL of February 3, 2015 "On Amendments to Articles 32 and 33 of the Federal Law 'On Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation' and Federal Law 'On General Principles of Local Self-Government in the Russian Federation'" established two models of local self-government: "leader-cabinet" and "council-commission". When using the first model, the head of the municipality is elected by a representative body from its composition and heads the administration. Yu.V. Blagov notes that the second model involves the election of a head by a representative body from among the candidates submitted by the competition commission, as a result of a competition that also heads the administration<sup>45</sup><sup>46</sup>. Currently, state policy is aimed at maximizing the spread of the "city-manager" model, which involves the rejection of direct elections of the head of state.

<sup>42</sup> E. S. Shugrina, *Munitsipalnoe pravo Rossiiskoi Federatsii: ucheb. - 5-e izd., pererab. i dop.* (Moscow: Norma, 2014).

<sup>43</sup> S. A. Menzara, "Formy i praktiki uchastiya grazhdan v mestnom samoupravlenii", *Evraziiskii soyuz uchenykh*, num 1-2 Vol: 34 (2017): 18-20.

<sup>44</sup> A. V. Novokreschenov, "Ot mestnykh sovetov k mestnomu samoupravleniyu i obratno", *Vlast i upravlenie na Vostoke Rossii*, num 1 Vol: 82 (2018): 23-29.

<sup>45</sup> Yu. V. Blagov, *Reformirovanie munitsipalnogo prava RF v noveishee vremya. Diss... kand. yurid. nauk* (Omsk: 2017).

<sup>46</sup> V. Y. Smorgunova; A. A. Dorskaia; D. A. Pashentsev; E. M. Pavlenko y M. V. Ignatieva, "Legal reform as an administrative decision: the risks and performance criteria", *Journal of Advanced Research in Law and Economics*, Vol: 7 num 6 (2016): 1488-1493.

## Conclusions

At the moment, local self-government in the Russian Federation has passed several stages of development. It is fully formed and is in constant functional and legal development. Local self-government bodies are an immediate and direct manifestation of the legal and democratic state. The gradual involvement of the population in the process of local self-government contributes to the formation of a responsible and active civil position, increasing the level of confidence of residents in the local government.

The activity of local self-government bodies is a form of democracy implementation and, therefore, has a public-power character. Local self-government bodies are not included in the system of state authorities, they have their structure. Cause-and-effect relationship is manifested in these provisions between the absence of local authorities in the system of state bodies and the legislatively fixed structure of local self-government bodies – the presence of control and other bodies, officials of local government, fixed in the Charter of the municipality and having their powers in solving local issues.

Based on the results of the study, it is possible to update the current Russian legislation, eliminate many legal gaps in the field of improving the effectiveness of the functions of local governments and increase the social efficiency of local authorities as new models of local government organization are introduced. It also seems appropriate to create a system of bodies (other local authorities) that ensure the practical implementation of legislative changes, as well as the most effective control and regulation of this process. Although these issues were not raised in the framework of the study, they can become the ground for further research.

## References

### Book

Bashkaeva, D. M. Rol predstavitelnykh organov v sisteme mestnogo samoupravleniya v sovremennoi Rossii, Aktualnye voprosy prava, ekonomiki i upravleniya: sbornik statei XV Mezhdunarodnoi nauchno-prakticheskoi konferentsii. Penza: Nauka i Prosveshchenie. 2018.

Begnazarova, O. V. Kadrovaya politiki v mestnom samoupravlenii, European research. Sbornik statei XIX Mezhdunarodnoi nauchno-prakticheskoi konferentsii. Penza: Izd-vo "Nauka i Prosveshchenie". 2019.

Blagov, Yu. V. Reformirovanie munitsipalnogo prava RF v noveishee vremya. Diss kand. yurid. nauk. Omsk: 2017.

Korzh, S. V. Evolyutsiya form uchastiya naseleniya v mestnom samoupravlenii, Nauchnye dostizheniya i otkrytiya sovremennoi molodezhi. Sbornik statei pobeditelei mezhdunarodnoi nauchno-prakticheskoi konferentsii: v 2 chastyakh. Penza: Izd-vo "Nauka i Prosveshchenie". 2017.

Kutafin, O. E. and V. I. Fadeev Munitsipalnoe pravo Rossiiskoi Federatsii: uchebnik. - 3-e izd., pererab. i dop. Moscow: Prospect. 2011.

Shugrina, E. S. *Munitsipalnoe pravo Rossiiskoi Federatsii: ucheb. - 5-e izd., pererab. i dop.* Moscow: Norma. 2014.

#### Journal articles

Aminov, I. R. "Organy gosudarstvennoi vlasti i mestnoe samoupravlenie: problemy i perspektivy vzaimodeistviya." *Vestnik Ufimskogo yuridicheskogo instituta MVD Rossii*, 1(71) (2016): 25-29.

Bukalova, S. V. "Razvitie territorialnogo obshchestvennogo samoupravleniya: Orlovskii opyt". *Srednerusskii vestnik obshchestvennykh nauk*, num 1 (2018): 144-152.

Davtyan, D. V. "Tendentsiya razvitiya grazhdanskoi aktivnosti v mestnom samoupravlenii". *Alleya nauki*, num 11 Vol: 27 (2018): 601-604.

Kaizerova, Yu. A. "Vzaimodeistvie organov gosudarstvennoi vlasti s mestnym samoupravleniem". *Alleya nauki*, num 16 (2017): 246-249.

Kasatkin, K. S. "Mestnoe samoupravlenie v RF: problemy vzaimodeistviya s organami gosudarstvennoivlasti". *Vostochno-Evropeiskii nauchnyi vestnik*, num 8 (2015): 43-46.

Kornaukhov, A. V. "Sochetanie v mestnom samoupravlenii interesov naseleniya regionov i gosudarstva". *Ustoichivoe razvitie nauki i obrazovaniya*, num 2 (2017): 114-118.

Lagunov, Ya. P. y T. P. Lagunova. "Mestnoe samoupravlenie: struktura organov mestnogo samoupravleniya, otsenka effektivnosti ikh deyatelnosti". *Vestnik Izhevskogo gosudarstvennogo tekhnicheskogo universiteta*, num 4 (2011): 84-86.

Menzarar, S. A. "Formy i praktiki uchastiya grazhdan v mestnom samoupravlenii". *Evrasiiskii soyuz uchenykh*, num 1-2 Vol: 34 (2017): 18-20.

Novokreschenov, A. V. "Ot mestnykh sovetov k mestnomu samoupravleniyu i obratno". *Vlast i upravlenie na Vostoke Rossii*, num 1 Vol: 82 (2018): 23-29.

Puchkov, G. P. "Metody sovershenstvovaniya organizatsionnoi struktury mestnoi Administratsii". *Tsentralnyi nauchnyi vestnik*, num 12 Vol: 53 (2018): 66-68.

Reutov, E. V. "Obshchestvennoe uchastie v mestnom samoupravlenii kak faktor solidarizatsii soobshchestv i prikladnaya problema". *Upravlenie gorodom: teoriya i praktika*, num 4 Vol: 31 (2018): 18-26.

Smorgunova V. Y.; A. A. Dorskaia; D. A. Pashentsev; E. M. Pavlenko y M. V. Ignatieva. "Legal reform as an administrative decision: the risks and performance criteria". *Journal of Advanced Research in Law and Economics*, Vol: 7 num 6 (2016): 1488-1493.

Zaripov, Sh. R. "K voprosu o delegirovanii polnomochii mestnomu samoupravleniyu". *Vestnik sovremennykh issledovaniy*, Vol: 12 num 2 (2018): 43-45.

Zulfugarzade, T. E. "Sovremennaya sistema i struktura organov mestnogo samoupravleniya v Rossiiskoi Federatsii". *Gornyi informatsionno-analiticheskii byulleten*, num 8 (2012): 254-260.

Internet publications

Benevolenski, V. and P. Toepler. Modernizing social service delivery in Russia: evolving government support for non-profit organizations. 2017. Available at: <https://doi.org/10.1080/09614524.2017.1259392>

David, J. O'B.; V. P. Valeri and D. D. Larry. Household Capital and the Agrarian Problem in Russia. 2017. Available at: <https://doi.org/10.4324/9781315192970>

Griewald, Y.; G. Clemens, J. Kamp; E. Gladun and N. Hölzel. Developing land-use scenarios for stakeholder participation in Russia. 2017. Available at: <https://doi.org/10.1016/j.landusepol.2017.07.049>

Peter, H. and Jr. Solomon. Courts And Transition In Russia: The Challenge Of Judicial Reform. 2018. Available at: <https://doi.org/10.4324/9780429501258>

Qu, C., D. Wen-Bin and G. Yun. Russia forest resource management. 2017. Available at: <https://doi.org/10.26480/mjsa.02.2017.12.14>.

## CUADERNOS DE SOFÍA EDITORIAL

Las opiniones, análisis y conclusiones del autor son de su responsabilidad y no necesariamente reflejan el pensamiento de **Revista Inclusiones**.

La reproducción parcial y/o total de este artículo debe hacerse con permiso de **Revista Inclusiones**.