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CONSULTATIVE AND ADVISORY BODIES IN SYSTEM OF RUSSIAN POWER (QUALITATIVE SOCIOLOGICAL RESEARCH)

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Abstract

The article analyzes the role of advisory bodies in the Russian public administration system. It considers the normative neoliberal model of advisory bodies as a tool used for overcoming informational asymmetry between principals and agents. Therefore, the main function of advisory bodies is expertise. Experts can be both professionals and laymen (that is, representatives of the stakeholders). This model is global in nature and is used to legitimize the place of advisory bodies in modern public administration. However, in Russia the global neoliberal model is undergoing significant changes. It operates in a different context, where the main form of civic participation is control over the executive branch. Accordingly, the main function of advisory bodies is public control rather than expertise. However, according to the qualitative sociological study (focused interviews) conducted in Sverdlovsk region in 2018, the members of the advisory bodies perceive their main functions in a different way. Their vision does not coincide with neoliberal or “authoritative” interpretations of the function of the advisory bodies. They consider their activities as mediation between the government and the people rather than public control or expertise of regulatory acts. The transformation of the neoliberal model “from the top-down” and “from the down-top” allows public councils to function successfully in the Russian public administration system.

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1. Introduction

Although advisory bodies consisting of representatives of civil society nowadays are taken for granted, some time ago, they were a radical managerial innovation. Neither the classical theory of representative democracy, nor the Weberian model of rational bureaucracy provided for them. The leading countries began to establish advisory bodies in the first half of the XX century due to the transition to a welfare state and complication of functions of executive authorities.

Transition from the classical administrative state theory to the neoliberal model of new public management and the theory of good governance strengthened the importance of deliberative and advisory bodies. This was due to the empowerment of agent-managers who, in accordance with requirements of new public management, have to solve social problems. Empowerment of managers caused stakeholders empowerment: the theory of good governance is based on joint responsibility of the state and civil society in solving social problems (Moore, 1995; Osborne, 2006).

In modern theories of public administration, advisory bodies are considered as a tool for overcoming informational asymmetry between principals and agents by using information from external sources. Therefore, the main function of these bodies is expertise. For example, according to Section 2 (a) of the 1972 US Federal Advisory Committee Act (FACA), they act as a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government (FACA, 1972).

The model of advisory bodies under the executive authorities is of normative nature. This does not mean that capacity of external expertise to improve the quality of public administration has never been challenged. For example, according to Moffitt (2014), government officials use deliberative for diffusing agency blame. In other words, stakeholders empowerment is a tool of reapportionment in responsibility in the event of failure rather than a tool for improving management efficiency.

However, most authors adhere to more optimistic views. The normative model of advisory bodies as a tool that provides authorities with expert advice prevails both in academic and gray literature, that is, in analytical materials that develop various think tanks. The guide prepared by the Congressional Research Service (Ginsburg & Burgat, 2016) is an example. The authors admit that the influence of advisory committees on the government decision-making process is unclear. However, they did not doubt the need for advisory committees.

Thus, at present, the advisory bodies are an integral element of the public administration system and global administrative discourse.

2. Problem Statement

Post-Soviet Russia started forming advisory bodies in the beginning of the 2000s. These bodies were called “obshchestvennye soveti” (public councils). Initially, public councils were established by arbitrary decisions of government authorities.

At the federal level, the formation of advisory bodies was regulated by Federal Law No. 32-FZ “On the Public Chamber of the Russian Federation” (RG, 2005). The basic law which determined main functions and tasks of public councils under the executive authorities was Federal Law No. 212-FL of July 21, 2014 “On the Fundamentals of Public Control in the Russian Federation”. In paragraph 1 of Article 9, public

councils, along with public chambers, were referred to as subjects of public control (RG, 2014). Some functions in establishing public councils shifted from the federal executive bodies to the Public Chamber of the Russian Federation. Regional legislation followed federal laws both in determining tasks and establishing functioning mechanisms for the formation of advisory bodies (Dyakova & Trakhtenberg, 2016).

At present, there are public councils under all federal and regional executive bodies, including those whose powers do not involve direct interaction with the citizens. At the same time, the main function of public councils is defined as public scrutiny (Owen, 2014) or public control. Focus of the Russian advisory bodies on scrutiny/control rather than expertise is due to two factors.

First, it is the nature of the Russian public administration which includes many supervisory structures with overlapping jurisdictions that control executive bodies. This specificity does not fit into the public administration theories developed in the European and American contexts (Christian, 1982). Supervisory structures provide additional channels of information on the activities of lower-ranking officials, although this information is not always accurate.

Second, the Soviet tradition of popular control also influenced the functions of advisory bodies. Transformation of control functions into forms of civic participation was one of the main characteristics of the Soviet system. Nikita Khrushchev tried to implement the Marxist thesis about withering away of the state and initiative of the masses (as cited in Malkov, 1963). Owen (2016) showed hybridization of global neoliberal discourse of advisory bodies and Soviet discourse of public control in the post-Soviet period.

Thus, the Russian system of advisory bodies has always been specific. However, most of the published works analyzing this system are of legal nature (Kuleshov, 2011; Noskova, 2016; Nuzhnova, 2015; Shcherbina, 2015). The main problems arise in the sphere of law enforcement. The lack of efficient public councils is due to the incompetency of their members. The authors are interested in the functions of public councils, rather than in their efficiency.

The normative approach to the advisory bodies prevails in Russian academic literature. The same is true for analytical "gray" literature. Numerous attempts of the Public Chamber of the Russian Federation and the regional Public Chambers to evaluate effectiveness of public councils were unsuccessful. There is no methodology. Russian authors say that the range and depth of public councils influence on decision making process is unclear.

This does not mean that there is no research on public councils. We can mention the works by Owen (2014) who conducted a series of focused interviews with members of public councils in Moscow, St. Petersburg and Samara; the work by Garifullina (2013) who analyzed activities of 169 advisory bodies under the federal executive bodies. A group of St. Petersburg researchers analyzed factors affecting public councils in the North-West Federal District (Gorny, 2011; Sungurov, 2012; Tarasenko, Dubrovsky, & Starodubtsev, 2011).

Thus, Russian and foreign researchers have analyzed activities of public councils under the executive authorities of the Russian Federation. However, their studies as a rule disregard specifics of the Russian system of executive bodies. The authors proceed from the normative concept of advisory bodies as tools for examining activities of the authorities and / or tools of public control. In our opinion, they

underestimate the autonomy of public councils which can, in cooperation with the government authorities, to a certain extent determine goals of their activities (of course, within the limits set by the legislator).

3. Research Questions

The article seeks to answer the following questions: 1) How members of public councils construct the object of their activities? What is the object of their activities? Do public councils identify themselves with experts, supervisors, lobbyists, or perform functions of public administration?

4. Purpose of the Study

The article analyzes how the members of public councils define primary and secondary functions of advisory bodies and how they evaluate their contribution to the efficiency of the public administration system.

5. Research Methods

We conducted a series of 58 focused interviews with members of public councils of Sverdlovsk region. The sample reflected the structure of the population.

We developed a questionnaire which included 21 questions on main activities of public councils. The average duration of a focused interview was 45 minutes.

In order to understand how the interviewees perceive functions of the public councils, an associative test was used. The respondents were asked to indicate the first word that comes to their mind when they hear the phrase “public council”. As a rule, having named the association, they substantiated their opinion. The answers were analyzed and grouped into the semantic blocks.

6. Findings

The results are presented in Table 01.

Table 01. Associative test for the word combination "community council"

Community council is ...	% of respondents
Positive associations	78.9
Public control	23.7
People, "thoughts of people", relationship with the people	10.5
"Interaction of the public with each other", "circle of social activists"	7.9
Assistant to the authorities	7.9
Accounting for public opinion	7.9
Examination, experts	5.2
Feedback	5.2
Combatting corruption	2.7
Other	7.9
Negative associations	7.9
Neutral associations	13.1

The most frequent association was “public control”. At the same time, the participants experienced difficulties in trying to define the term ‘public control’. These attempts often generated a definition circle:

“Public control involves very specific public control measures to prevent corruption, inform citizens, and so on and so forth. We control this. This encourages the government authorities”.

The participants could not provide an example of implementation of public control and quickly forgot about this function of public councils in further discussion.

Associations “expertise”, “experts” turned out to be unpopular (5.2% of participants, mainly members of economic councils). The participants opposed expertise and public control:

“As an expert community, we have to initiate serious measures aimed at the development of ... the industry - just for the sake of citizens’ and government’s interests. Therefore, we should act as experts, experienced experts, representatives of business, help develop the economy and contribute to economic development!”.

The most significant function of public councils from the participants’ point of view was mediation between the government and the people. The participants considered themselves as public petitioners who inform the government about concerns of citizens. This is evidenced by such associations as “people” and “thoughts of the people”, “the circle of social activists”, “assistant to the authorities”, “accounting for the public opinion” and “feedback” (39.4%).

Let us give some examples:

“The public council must express public opinion to make the ministry make administrative decisions taking into account public opinion. Opinions of government authorities and people do not always coincide. As representatives of the people, we must inform the government about opinions of the people.”

“Public councils differ from ministries. The ministry is a government body with its own tasks. Public councils were established to inform ministries about public views”.

One of the participants said that public councils are designed to help resolve social conflicts:

“This is minimization of conflicts between the government and the people. This is the main task. If the government does not feel the people, the people do not believe in efficiency of government authorities. This is the biggest tragedy for any country. I believe that the goal of public councils is to prevent social conflicts”.

The results of the associative test indicate that for most of the interview participants, the public council is an intermediary between the government and the citizens, i.e. it a mediatory function. The interview participants did not identify themselves as technical experts. They considered themselves as assistants contributing to efficient management decisions. They verbally agreed that public control is the main function of public councils; but in practice they considered public councils as “an intermediate link between the people / society and executive authorities” and claimed that their main function was to provide feedback. The answers to other interview questions confirmed this conclusion.

7. Conclusion

Analysis of the activities of public councils showed that in the Russian Federation these bodies were established taking into account national traditions of government efficiency improvement.

On the one hand, legislators define public councils as public control bodies. On the other hand, members of public councils consider public councils as intermediaries between the government and the people. The expert function of advisory bodies became secondary. The members of public councils identify themselves with public petitioners rather than with external independent experts.

Thus, the neoliberal theory of advisory bodies as an element of the public administration system has been transformed to meet the needs of the authorities and the public. The transformation of the neoliberal model “from the top-down” and “from the down-top” allows public councils to function successfully in the system of government.

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