

THE STATE INFLUENCE ON ECONOMIC RELATIONS IN RUSSIA (THE STATE-LEGAL ASPECT)

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The coming of the next phase in the establishment of a new socioeconomic structure in Russia may be established with a great deal of certainty. Its characteristic feature is the need to place in order and strengthen those rules and institutions of economic turnover that are conventionally called market ones. New owners and new rules of the game require greater competence on the part of state authorities in the accomplishment and support of proclaimed market freedoms and civilized parameters of the activity of all participants in economic life.

Society in turn, while experiencing the excessive burden of the shock-treatment introduction of market norms with a set of social, political, and spiritual deformations, is demanding the enhancement of the role of the state as the only real instrument of protection in the face of insufficiently developed civil institutions and the expansion of “market chaos with a criminal hue.”

The interests of society and the representatives of developing “normal” business in the enhancement of the state’s role coincide. This thesis is confirmed by an analysis of practically all of the political programs of the primary participants in the political process in Russia.

At the same time, the primary and traditional question for such transitional periods arises. What does the enhancement of the state in general and in the influence on the economy in particular signify? The flexing of administrative muscles and intrusion into developing institutions of state society and market relations under the pretext of imposing order? The extensive route of making a show of the state’s strength in the market field? All of this is overly simple and ineffective if it is a question of the establishment of the democratic, market values laid down in the Russian Constitution.

It should be a question not of an expansion of state authority but of intensification and greater competence in the performance of state functions. The question consists not of an expansion of state functions, the dissemination of them to the activity of institutions of civil society, and the displacement of the functions of social self-regulation. The task consists in the more accurate establishment of the boundaries, principles, and means of interrelations between the state and social and political institutions, including the formation of a mechanism for delegating a number of state powers to institutions of social self-regulation.

After all, the primary potential and real civilized mechanism for intercommunication between the market, competitive environment and democratic instruments of influence on state authority and for participation in it are laid down in the institutions of civil society.

Intensification of the state's functions in the influence on socioeconomic processes presupposes the placement in order of the functions of the state and the corresponding federal bodies of state authority. The need to take stock of the functions of the federal executive state authority and the corresponding structures, curtail administrative and managerial agencies, and exclude duplicative functions is obvious. At the same time, it is advisable to propose the enhancement of the coordinating methodological instruments of the federal executive authority.

The result of such stock taking must be a federal law on federal bodies of executive authority, capable of increasing the stability of the mechanism of the performance of state functions.

Of particular importance in the process of increasing the effectiveness of the state influence (primarily in the executive sphere) is a further placement in order of the operation of the principle of the separation of powers: the formation of a more flexible and civilized set of instruments of checks and balances both at the federal and regional levels and at the level of mutual relations between federal and regional state bodies. No less important in the building of an effective state authority is the finding of optimal variants of the separation of the regulatory, executive, and oversight functions among various bodies of executive authority, and in this regard, the performance of the necessary reorganization of a number of executive bodies.

Executive authorities exert the primary extent of the regulating influence on socioeconomic relations. In the present situation, the need to build a vertical line of federal executive authority comes to the forefront. In order to do this, we need not only a more rigid structuring of the bodies of executive authority at the Federation level, their release from a number of non-strategic functions, and the transfer of the latter to the level of the bodies of Federation entities, but also the real formation of territorial bodies of federal bodies of executive authority and the assurance of the greater independence of these bodies and officials from a localized influence. In this regard, the idea of the formation of these bodies not at the level of Federation entities but at the level of federal regions encompassing several Federation entities is undoubtedly worth examining.

At the same time, it is not worthwhile becoming absorbed in just the enhancement of the vertical line of federal executive authority. The placement in order of the mechanism of the operation of the unified system of executive authority in the Russian Federation (Article 77, Point 2 of the Russian Constitution) is a no less important if not more important task. At the same time, the means of interaction of various levels and structures of executive authority during decision-making and the system of monitoring of their implementation, as well as the necessary elements of the accountability of officials for their non-fulfillment must acquire a more solid regulatory base.

The placement in order of the state's role in influencing the economy. It is noteworthy that there exists a constitutional basis for displaying the powerful role of the state in the regulating influence on economic processes; at the same time it is important to emphasize the Federation's conceptual powers to establish the foundations of federal policy and federal programs in the field of economic development (Article 71, Point e) of the Russian Constitution). Clearly, state government powers for indicative planning and for using colossal resources in the sphere of the management of state property, and mainly the constructive potential of said powers, are not being utilized to the full extent.

Today the position of the use of constitutional powers of state authorities for the expansion of the state into economic relations is clearly discernible. In this regard, it should be emphasized once more that this position does not lead to the resolution of the problem of the enhancement of the quality, competence, and effectiveness of the state influence on the placement in order of market relations. For the promotion of the formation of more civilized socioeconomic institutions, the route of the establishment of the boundaries and levels of the intervention of the state (the state and officials) in economic processes is more productive. In order to accomplish this it is possible to utilize the constitutional form of the development and adoption of the foundations of federal policy regarding the state influence on the development of the economy, where to chart the strategy of the state's participation in economic processes and the primary parameters of the state's participation and intervention in economic processes, and to more definitively formulate the principles of such intervention, and so on.

From the viewpoint of the legal support of the enhancement of the effectiveness of the state's participation in the management of state property as an important element in the overall state influence on economic processes, one should optimize the development of a number of legislative acts on the issues of the means, forms, and methods of the management of state property and the property of local self-government. Furthermore, it requires a more principled resolution of the issue of the forms of the participation of the state, its bodies, and the bodies of local self-government in civil-law relations, and of the correlation in so doing of the private and public interests, of the state's accountability for its obligations in these relations, and of the extent of such accountability.

In order to establish an effective state influence primarily in the sphere of the economy, an important role may be played by a system of socioeconomic evaluation of decisions being developed and adopted, as well as a system for tracking the effectiveness and productivity of these decisions. Such a system may serve as an important factor of the serious modification of the process of the adoption of state decisions and acts in the economic sphere.