

## **Extent of state participation in local self-government of Russia and China: its vastness and development trends**

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**Annotation:** Despite the fact that in most modern legal orders there is a tendency to increase the autonomy of citizens and open them all possibly available political and social rights, as a rule, there are serious obstacles to this. Thus, the Center's desire to centralize the governance of the country and, consequently, to turn local self-governments into the bottom tier of the «executive vertical» can significantly limit the political opportunities of local self-governance and largely reduce the effectiveness of agents' strategies to achieve municipal autonomy. In this article I will examine the degree of state intervention in the system of local government in Russia and China, highlight its minuses and pluses, and reflect on what these legal orders have in common.

**Key words:** local self-governance, China, autonomy, public authority, rural area, central cities.

When it comes to local self-governance, its perception within the Russian constitutional and legal and municipal legal doctrine is often limited either to the interpretation of its essence as one of the constitutionally defined forms of democracy with the consequent need to ensure the characteristic and necessary in this case democratic procedures at the local level, or, conversely, its perception as a special institution for addressing issues of local importance, the activities of which are not limited to the local government [2].

L.A. Velikhov in his work «Fundamentals of Urban Economy» called the relationship between local self-government and center «*subordination*», bearing in mind that local government is a power that operates within the framework established by the state through the adoption of laws [3]. In other words, it is a power that cannot reform itself. Local self-governance must be regulated only by laws,

which limits the possibility of interference in its competence by state bodies and state officials. Taking into account the federal structure of Russia and the independence of local government guaranteed by the Constitution of the Russian Federation, the legislator defined the competencies of each level of government in the sphere of local government and, as already noted, the own competencies of local government [1].

At the federal level, the «Federal Program of State Support for Local Self-Governance», approved by the RF Government on December 27, 1995, is still in effect. Defining the need for new approaches to local government, the program states that the independence of local government within its authority and the non-state status of its bodies require a transition from centralized management of their activities by state executive bodies to legislative regulation and methodical support of local government and the formation of an effective system of control over the compliance with federal and regional legislation of decisions made by bodies.

For example, Article 3 of the Law on the Interaction of Public Authorities and Local Self-Government of the Tambov Region acknowledges that the bodies of state power of the region create the necessary legal, organizational, material and financial conditions for establishment and development of local self-governance, and provide assistance to the population in exercising their right to local self-governance.

It is emphasized that the population in the exercise of the right to local self-government, contribute to the provision of guarantees for the implementation of their authority to address issues of local significance, adopting programs to support local self-government, establishing and developing a system of training and professional development of municipalities and municipal servants.

On the one hand, everything seems fair - local government independently solves issues of local importance, while the state helps them by limiting its scope of intervention. On the other hand, no matter how good everything is in theory, these days, for example, in Tatarstan and Bashkortostan, where local self-governance is limited to the level of villages and settlements, while in cities and districts it is simply

absent. This includes, for example, the Saratov region precedent as well, where the heads of local government were once «elected» by municipal councils from, as a rule, the only candidate proposed by the governor - in practice the built system does not work as we would like it to.

Let us turn to the Chinese self-government system. Immediately after the Cultural Revolution, China's political system was still relatively typical of totalitarianism. This system was characterized by a high degree of centralization of political power, with complete state control over society and the economy. There were no independent social organizations outside the government; almost all aspects of social life were regulated by the state [4].

In the next three decades of China's openness reforms, the government gradually began to transfer its powers to local governments.

In the political dimension, the central government was able to gradually relinquish power and transfer much of its decision-making power to local governments at all levels, allowing local governments to make their own decisions by granting them a degree of autonomy, thus creating a structure similar to the federal system. This structure has contributed significantly to high economic growth rates, reduced political absenteeism, and helped more Chinese to incorporate into the system and influence decisions.

These days local governments in China enjoy a certain degree of autonomy and a certain degree of democratic elections at the grassroots level, but at the same time develop under the strict control of the government, which guarantees respect for the rights of every individual. Thus, over the past 20 years, the opportunities for citizen participation in public affairs have increased considerably following the spread of elections to committees of rural and urban residents. Thus, with the spread of rural and urban committee elections, more and more Chinese citizens began to use their votes to influence the affairs of their communities [4].

Nevertheless, decentralization in the social dimension was from the beginning selective and based on the premise that government control would not be shaken.

Local governments (local administrations) are an integral part of the central government of the unitary state. Local governments exist only when there is a central government, and vice versa. Of course, local government enjoys local prerogatives that the central government cannot interfere with, such as the right to determine finances, the right to determine security, the right to specify education, etc. However, fiscal power is the material basis for the functioning of local government. The scope and degree of local autonomy is determined by the scope of the local government's fiscal and financial powers, and central government control over local government finances is the most powerful means by which the central government can control local government. There are many classifications according to the level of government intervention, but the most common is this:

1. The three *central* cities are Beijing, Shanghai and Tianjin.
2. Twenty-two *provinces* are Hebei, Shanxi, Liaoning, Jilin, Heilongjiang, Shaanxi, Gansu, Qinghai, Shandong, Jiangsu, Zhejiang, Anhui, Jiangxi, Fujian, Henan, Hubei, Hunan, Guangdong, Sichuan, Guizhou, Yunnan, Taiwan.
3. The five *autonomous* regions are Inner Mongolia, Ningxia, Xinjiang, Guangxi and Tibet.

In fact, any central government must control local governments, even if they have a high degree of local autonomy. In this sense, it can be said that *there is no such thing as complete and absolute local self-government*. The degree of central control varies according to the degree of local decentralization, resulting in different structures of the relationship between central and local government.

The state emerges and is constituted as a representation of public interests, as a force above society, but from the very beginning it has acted as a system of organized political domination of some people over others. In any case, the early as well as the

later forms of the state, being public institutions, rarely expressed real public interests.

**Conclusion:** Despite the fact of having a big extent of governmental interference in both Russian and Chinese self-government systems, ne should not regard state intervention as something bad, but rather count it as an aid to local government. Thus, it is the state that can apply specific sanctions if something in places works not how it should have been. Such sanctions are the dissolution of municipalities in established cases and the transfer of their functions to bodies appointed by the government, as well as the forced resignation of municipal officials, deprivation of subsidies, etc. It is important to understand that the goal of the state is to take care of its citizens, and therefore its interventions always have the goal of improving and supporting.

## Literature

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