POLITICAL AND LEGAL MEANS TO ENSURE MECHANISMS OF INTERACTION BETWEEN STATE ORGANS AND LOCAL CITIES' AUTHORITIES AS TOOLS TO ACHIEVE PUBLIC RELATIONS EFFECTIVENESS

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ABSTRACT:
The actuality of examined issue is predetermined by necessity of aligning state policy with the actual status of cities as active actors in policy making process on domestic and international level. The main objective of this study is to review contemporary peculiarities of the role of local governments within cities in policy making process in order to underscore the relevance of actual status of citites and its legal framework by political tools. The work relies on the use of teleological analysis (in order to understand the importance of implementing complex of political and legal tools within urban state policy to elaborate mechanism of building due public relations in the state), a comparative method (as part of a comparative study of the legal and actual statuses of cities as actors of domestic and external political relations), and functional analysis (when identifying city competence). The general discourse on the local government in cities allows to determine the need for a combination of political and legal tools in building relations between the state power institutions and local authorities in cities. Due urban politics presums developing the good image of city abroad, based on its identity to gain despite the competition worldwide benefits such as being elected as location of important international event. This paper examines both the inherent contradictions between the legal foundation and domestic and external actorness of cities.

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KEYWORDS: urban policy, urban governance, democracy, urban development, local government, decentralization, international relations of cities, urban problems, sustainable development.

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One of the first points of this article is to mention that cities are the main driving centers of policy making process within state borders and on international arena. This is function of local authorizes within cities, which presums necessity of developing by central state power appropriate political and law instruments to implement interaction between central state power and local authorities within states, especially which are capitals of state territory units. In the short term, this actors will compete for human capital within countries and abroad. Cities will take care of the welfare of every person because the level of urbanization is higher than ever [1]. That is why it is so important to pay attention to the problems of cities and due urban politics now so that they can fully meet the needs of modern society and being effective actors of political process.

Each city has its own personality, its image. Already, the cities of one country differ in living standards, improvement, and have their own character of local self-government and activity within state borders and above.

But the phenomenon of the city as a separate form of socio-economic and political organization is not new. The ancient Greek policies [2, p. 14] were known for their organization and which stood at the origins of the emergence of politics as such, and the Italian city-states, whose power and development helped them gain independence from formal sovereigns. The example of Veliky Novgorod as a powerful trading and political center of the north with its one of a kind form of democracy is also unique. However, in later centuries, national states began to have significance, because only by uniting did the inhabitants of different regional entities ensure themselves security and survival.

This kind of long-term developing of actual and legal status of citites as domestic and external actors presumed multiple researches on issue, foreign [3, p. 23; 4, p. 85; 5; p. 19; 6, p. 21; 7, p. 13; 8, p. 109; 9, p. 34; 11, p. 67; 12, p. 60] and domestic [13, p. 66; 14, p. 28; 15; p. 1933; 16, p. 675; 17, p. 48; 18, p. 378; 19, p. 63]. But the main contradiction is lack of studying ways of achieng due state urban politics on the base of implementing complex of political and legal tools.

In the modern world, many functions of states as sovereigns are gradually being reduced (for example, cities do not need to unite against a common enemy) and a new era of urban development is coming. Great example of cities of the future already in our time are Abu Dhabi, Singapore, Basel-Mulhouse-Freiburg (Switzerland, France, Germany), Copenhagen-Malmo (Denmark, Sweden), New Songdo (Korea), Galway (Ireland), which effectively supply their citizens with such benefits as a high level of improvement, education, and a constantly improving financial climate.

However, the above examples mean that cities in the future will gain their role of entities, which are effective in constructing world wide ties, because globalization comes to a new round, involving in internation arena policy making process all actors in state. A round that implies not the expansion and increase in the population of cities, but the strengthening of the role of cities both domestically and in the international arena. The developing of political tools, based on appropriate law regulation of international activity of local auhoroties as well as mechanism of interaction between central state power institutions and local government, will lead not the extensive, but to the intensive development of cities as policy making actors. The state sovereignty of the country will not disappear anywhere but is likely to go by the wayside, remaining rather an auxiliary legal function.

The city as an independent political unit has a number of advantages: ease of management and control, enhanced democracy (even a form of direct democracy is considered using modern technologies such as electronic voting), the active inclusion of civil society in the political life in view of the simplified consolidation of citizens (compared with fellow citizens of the same country) on the basis of solving common problems. Such is the role of cities according to the legislation of Russian Federation on local self-govenment. The articles 130–133 of Constitution of Russia and articles 16, 16.1 of Federal law "On general priniciples of organizing local self-governmnent in Russian Federation" [20] establish subject matters of cities, but the legal gap in this norms is in defining ways on participating of cities in international realtions. So as there is no appropriate law mechanism of interaction between central state power organs and local self-governments and gaps of organizing appropriate urban political process in state. The same situation could be observed in foreing countries,

when there is only framework of law regulation, within establishing possibility to implement local self government, which doesn't suppose the necessity of achieving due urban policy making process and developing ties between central state power and local authorities within cities. Such situation is observed in most foreign states even those which cities are active on international arena [6, p. 18].

But cities have important function in enforcing image of state and achieng their interests on international arena:

While cities are capitals of state power territory entities witnin country, they are the base of all international activity of state power territories and have benefits from it, which supposes mechanism of interaction between state power organs and local authorities on the issue. Central state power institutions control mentioned political process and solve collisions and disputes between these entities;

Cities take part in Congress of local powers and other forums devoted to problems of local self-government;

Inhabitants of cities could also be actors of worldwide human exchanges, especially in education contacts.

An important role in the development of cities is presumed by competition factor: for human and financial capital, tourism, foreign investment, events, the image and status of the city as a whole predefines victory, in gaining status of important international event location, such as Expo (Dubai, Milan, Tokio, Shanghai), Olimpiade (including cities – meaningfull internal and external actors, as Helsinki, Melbourne, Moscow, Munich, Oslo, Sochi) or Universiade (especially Beijing, Granada, Harbin, Innsbruck, Kazan, Turin). Mentioned exemples of cities – influential policy actors known worldwide shows, that nowadays, not countries, but cities with their infrastructure and potential are fighting for olympiads, championships, and various technology exhibitions, because even by these criteria they can differ greatly in one country.

People in the modern world are more conscious in their choice of place of residence and activity, they are less attached to jobs. A 21st-century person has the opportunity to choose where to live, get an education and work. The person chooses the place that he considers the most attractive.

The functions of cities have also changed – they are no longer industrial centers where people from the periphery came to work at the factory and live. People living in cities believe themselves as society which has political functions to influence on decision-making process in their place of living. This situation is brightly demonstrated by European cities, in which social movements are emerging as new actors in urban transformation. To resist and improve their situation, the inhabitants organize themselves to make themselves be heard (unions, associations, etc.), to gain power (parties, citizen associations). This situation is not new and is not unique to urban movements. Urban social movements are growing and are changing. They combine the claims of rights in cities and rights to the city. Struggle movements bring new practices. Residents of certain neighborhoods manage, after struggles and negotiations, to impose their security and avoid being displaced. For example, in Copenhagen there are more than 1800 of such associations, which make Denmark as whole capital of local associations movement fighting for better life conditions in citites. The most powerful association is the Society of Friends of the Farmers (Bondevennernes Selskab) that soon numbered far more than 5,000 members, mostly peasant-farmers. This society dominated the elections outside Copenhagen to the Estates.

So that cities of postindustrial society require rethinking about ways of interaction with them by state powers as actors on internal and external arena, to develop public policy tools, which permits cities to be part . The old scheme of the 20th century – "work during the day in the center, personal life – in the evening in the sleeping area" no longer works, as well as the famous Russian proverb "where you were born, there you are useful".

Thus, we see the growth of the role of cities and the increase in the number of its functions as examples of growing trends in urban improvement, internal and external migration, the activation of civil society in cities, gradual decentralization, the development of city brands to attract people and resources. This factor determines the character of urban political course chosen by the state and the nature of political relations with local gov-

ernments in cities. Mentioned policy making process is enforced on the base of avoiding legal gaps by predefing conditions of international actorness of cities and mechanism of interaction with state power institions while implementing such international ties.

We can cite the example of implementing such political and legal tools of state urban policy within cities and agglomerations of the USA – New York and Los Angeles, are thought by the world community as separate locations, habs, development centers, rather than perceived as an integral part of the United States. They are much more popular in many ways than the official capital, Washington. In many countries, the trend toward independent development of cities began even before the general discussion of the problems of cities and their consideration as subjects of individual disciplines. One of the first phenomena confirming our hypothesis about the significant role of the image of cities in the historical context is the presence of "two capitals" in many countries. The most commonplace example is Moscow and St. Petersburg in Russia. Why is Petersburg still popular? Is it that by inertia he remains "the capital of the empire?" Not only that. The city's popularity is driven by its unique face and image of a cultural monument in the country and in the world.

Usually, the most popular and successful city for life in many countries is the capital, creating the image of a universal center. But we can see the phenomenon of decentralization and the special role of a single city, for example, in Canada, where Toronto is the most popular and intercultural city, but the capital is still Ottawa, in Turkey the capital is not at all vibrant Istanbul, but Ankara, and in Australia the capital Canberra not as famous as Sydney with its boiling life, which is often unknowingly taken for the capital. In Switzerland, there is no clear concept of the capital at all: Bern serves as the de facto administrative center, Geneva has its own international political image, and Zurich is the country's most powerful cultural and financial center.

Thus, if cities are centers of the future, because in them, in the process of urbanization, the bulk of the population accumulates, and the global problem of cities also arises.

A city, if it wants to develop to one degree or another independently, to lead in the country and in the world, must provide a person with everything that is necessary for his life, meet basic needs, good physical and mental health, work and rest. Namely, impeccable environmental conditions, transport accessibility, quality housing, security, jobs, technological urban solutions, leisure activities and social guarantees for vulnerable categories of the population. It is known that a person's quality of life affects the quality of his work, respectively, a healthy and happy city dweller makes a positive contribution to the urban economy and the economy of the whole country.

The main problems of modern cities (especially in developing countries, such as Jakarta of Indonesia, Delhi in India, Takmau in Cambodia, Cuiaba, Manaus in Brazil) are overpopulation, serious environmental problems, illiterate beautification policies, corruption, poverty and social stratification, problems of transport and motorization, crime, bureaucracy, lack of decent conditions for the movement of people with limited mobility, etc. So, anti-corruption protests emerged in Warsaw, Rome and Prague and in other influencial European cities to make public authorites pay attention to local problems and find their solution. Moreover, many cities in developing countries, including cities in South-East Asia (Luang Prabang, Pakse, Savannakhet in Laos, Jakarta in Indonesia), South Asia (Mumbai, Calcutta, Bangalore, Chennai in India) still do not have elementary life support systems – heating and water supply, a civilized system of garbage collection and street cleaning, access to clean water and medical care.

This very problem touches especially cities in Africa countries, which are subjects to suffering from unsatisfactory life conditions, but actively participating in world wide ties in such spheres as economy, education, culture, political process. The process of reforms is too slow and ineffective because of difficulties in achieving balances between tribalism and taking into account culture peculiarities of Africa as political regions. This problem of finding balance, causing incompleteness of local self-government reforming, touched especially country with strong patriarchal traditions, Nigeria, which has 774 local governments. The reforming process started in country in 1976 and not coming to end until nowadays.

The problem was in due law-basing of reform process. Despite the constitutional guarantee of local self-government (section 7 (1) of Nigeria Constitution of 1999), the legal lacuna in defing structure, ways of financing activites as issues defining the character of ties between central power, territory units and local authorities in cities don't permit achieving the due local government reforming and enforcing international activities of Nigeria cities. However, this means that the degree of autonomy local councils enjoy in decision-making, strength and relevance is determined by state governments where this local authorities are situated, and state governments have always taken benefits of legal gaps in this constitutional framework to dictate the financial and operational structures of local governments.

So, approaching the main issue, in order to solve the problems of cities it is necessary to implement political and legal tools to elaborate due state urban political course to provide local authorities in such citites with all the necessary benefits that require modern living conditions of people and international relations influenced by globalisation. And here we introduce the second important thesis of our study. A city is a place where politics materializes. Urban is political. Literally, everything that we see with what we face as urban residents on a daily basis is the result of politics and political decisions. From the tiles we walk on and the quality of the swing for children in the park to the line in which we stand, getting the next certificate and the level of our salary in a particular place of residence: all this is politics.

It turns out that the city certainly and most clearly reflects the state policy and directly implements it with the activity as international relations and domestic actor. So, the city and city authorities can directly implement both foreign and domestic policies. "Foreign policy" here means international interactions of cities, their participation in global political life and interaction with other cities of the country and the world as a whole. So, at the United Nations, there is a special unit "UN-Habitat" [21], the activities of which are directly related to the sustainable development of cities and settlements, assistance in the competent implementation of urban policies, the introduction of innovations to improve the lives of people in cities, etc.

It is also important to note the existence of such an important international organization for cities as the United Cities and Local Authorities [22]. It brings together cities, local and regional authorities and municipal associations around the world, whose daily activities include holding meetings of mayors and other local and regional leaders, implementing joint multilateral projects with international institutional partners, organizing international workshops on the exchange of experience on local issues politicians and practices; and advocating for the interests of local and regional governments at the UN.

The third useful tool for the implementation of cities on the international stage is the system of "twin towns", existing in political regions all over the world. So today, there are nearly 30,000 twinning links [23]. It helps various communities in the world to establish permanent friendships for mutual recognition of life, history, and culture peculiarities of both contracting parties. Cooperation between cities is expressed in the exchange of scientists, researches, touristic delegations, art and sports groups, exhibitions, literature, films, photographs devoted to the life conditions of cities, but most importantly information on the experience of urban management. Such a format of interaction at the micro-level is sometimes much more convenient and efficient than a whole system of relations and exchanges between entire countries.

What is "internal", that is, the urban policy itself? Firstly, it is a comprehensive concept. It cannot be limited only to the concept of political or administrative power in cities, urban planning policy or the creation of a city brand. Secondly, urban politics is not an abstract theoretical concept that one may not be aware of, but something that applies directly to everyone who interacts with the city every day. Ya.P. Silin in his article gives the most accurate and detailed definition of this concept: "City policy is a declared, focused, institutionally and legislatively executed activity (or system of activity) of authorities of all levels (interethnic, national, regional and local), as well as other actors (various public organizations, parties, unions, corporations, citizens), which has a regulatory impact on the development of cities and their systems within a certain concept in the interests of achieving a post goals" [24]. And if we accept the assertion that cities are the engines of

human society, it turns out that the development of urban policy and the study of its methods using different disciplines are the highest priority in our time among researchers, government agencies and ordinary citizens. So, what should be the modern urban policy for effective, sustainable and conflict-free urban development?

Firstly, one of the important elements of successful city management is a competent personnel policy. Roles in the management of the city should be clearly divided, the main positions should be held by people competent in their field, having successful cases behind them to solve the problems of the city, business, etc., and not just moving up the career ladder. It is important to attract, not neglect, resources of promising young people as well as international human capital. A suitable example of an adequate government policy regarding the development of human capital can be found in the Tatarstan, one of Russian Republics. It is famous for the most comfortable squares and parks, one of the best in the country [25]. Improvement projects are carried out not only in the capital of the republic but also in small single-industry towns and villages. Tatarstan owes much of its success to due political course aimed at development of human resources: the architect N. Fishman, who was endowed with many politicians in power or being in contact with political elites, became the President of Republic's assistant several years ago. Mentioned circomstances allowed her to manage needs of inhabitants and take decisions effectively to achieve a decent result. Not all Russian regions unfortunately, endow young and talented specialists and experts with significant possibilities and resources to take part in process of developing cities and spaces.

Secondly, the important awareness in the field of urban policy in recent years was the importance of achieving more active participation of residents and interest groups in local political processes. The active protest movements in Paris, London, Berlin, Caracas, Sucre brightely demonstrate, that nowadays people have a powerful request for participation in urban politics and decision making process dealing with amelioration of their life conditions, but there are some legal lacunes which tolerate the fact that local authorities avoid organizing mechanisms of public questioning such as opinion polls (so there wasn't any local referendum in Ekaterinburg). Failure to meet this civic need can cause social conflict. We could observe this as an example of the situation surrounding the development of a park in Ekaterinburg when the townspeople massively came out to defend their public space [26]. The origins of this situation lie largely in the indignation of the city residents over the fact that their opinion was not asked and subsequently it was also not taken into account. To resolve the situation, the authorities had to resort to the tools of democracy, a survey was conducted among citizens about a new place for the construction of the temple.

Therefore, to solve all the problems, issues and tasks arising in the urban public space, it is necessary to attract as many participants as possible: city authorities, business representatives, the media, experts, city activists and ordinary citizens of different ages. In the field of transformation and improvement of space, the tool of "collaborative design" [27] has long been popular. Collaborative design is a process involving all interested parties. And the result of the process should ideally be a project that meets the expectations of residents. Modern people are no longer satisfied with the option of interaction, when ready-made decisions are presented, as it were, "from above", the townspeople want to make decisions together. Therefore, now many cities use the involvement of residents for their improvement.

The second tool that is used to solve modern challenges in cities and is just starting to emerge is electronic democracy. Its origins are urban online platforms, social networks, forums, media discussion platforms [28]. In the future, e-democracy [29] can seriously compete with representative democracy, so, for now, the authorities are wary of it. But now it's clear that one cannot do without public, public both online and offline spaces for discussing urgent city issues. This also includes a completely new and tool for involving urban actors – foresight [30]. Foresight is a long-term forecasting technology, a way to build a coherent, balanced and responsible image of the future. In addition to the forecasting and analytical component of the foresight, which is responsible for the combination of methods of working with the future in a particular foresight project, they have another key component – the organization of interaction and dialogue in the development of

decisions and the formation of common goals for participants in a particular foresight project, i.e. which is what cities need right now.

Summing up, we can say that Russian and foreign experience indicates that city local authorities play important role on internal and external political arena, being actors of economical, social, cultural interactions (as capitals, transport habs, locations of international events, financial centers) and public relations. This role of cities provides necessity of non-reactive character of urban policy (only following urban problems), but proactive position of central state power institutions (setting trends and defining tasks). It means elaborating political programs which are based on transport, infrastructure and cultural peculiarities of cities to be widely devolped as well as defining strategy of cities to be presented on international arena. And mentioned functions of cities to be realized fully must be provided with appropriate political tools such as agreements, programs of developing city pecularities dealing with logistics, life conditions, preserving monuments, based on due legislation (acts, which define limits and procedure of local city authorities participation in international and internal public relations). Adoption of such legal acts and political programs to develop city local authorities would provide a base for more representive role of russian cities, especially capitals of Russian regions. By paying attention to the interests of the state's cities and considering them as developing political units based on self-governance, supporting their initiatives (not avoiding of strengthening economic and political power at the local level), country governments could stimulate the development of cities, having a positive effect on the competitiveness of the country as a whole. It especially subjects the international activity of cities which are capitals of regions or other territory units within states. The due political and law instruments, which application will be based on adopting laws on activities of such local units on international arena would permit to instore necessary relations between state as whole and its territory units. Cities that invest numerous resources in their development, effectively use the tools of urban governance and politics, ensuring sustainable development and the well-being of citizens will soon become centers of taking solutions to all global problems.

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ПОЛИТИКО-ПРАВОВЫЕ СРЕДСТВА ОБЕСПЕЧЕНИЯ МЕХАНИЗМОВ ВЗАИМОДЕЙСТВИЯ ОРГАНОВ ГОСУДАРСТВЕННОЙ ВЛАСТИ И ОРГАНОВ МЕСТНОГО САМОУПРАВЛЕНИЯ ГОРОДОВ КАК ИНСТРУМЕНТЫ ДОСТИЖЕНИЯ ЭФФЕКТИВНОСТИ ПУБЛИЧНО-ВЛАСТНЫХ ОТНОШЕНИЙ

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АННОТАЦИЯ:

Актуальность исследования обусловлена необходимостью совершенствования инструментов регулирования отношений органов государственной власти и органов местного самоуправления в городах исходя из de-facto статуса городов как акторов, осуществляющих деятельность на национальном и международном уровнях. Основная цель данного исследования – рассмотреть особенности роли и значения органов местного самоуправления в городах в процессе выстраивания политического курса в государстве и за его пределами, для приведения в соответствие de-iure и de-facto статуса городов как активных участников пубично-властных отношений в государстве. Работа опирается на использование телеологического анализа (в рамках определения комплекса политико-правовых инструментов, необходимой для выстраивания государственной политики в отношении органов местного самоуправления в городах в процессе функционирования механизма реализации публично-властных отношений в государстве), метода сравнительного анализа (при установлении различий фактического и юридического статуса городов как субъектов внутренних и внешних политических отношений, а также особенностей статуса городов разных стран) и функциональный анализ (при определении предметов ведения органов местного самоуправления в городах). Новизна исследования заключается в том, что на основе изучения особенностей дискурса российских и зарубежных исследователей в области местного самоуправления в городах определен комплекс политических и правовых инструментов, необходимый для выстраивани отношений между орга-

нами государственной власти и местными властями в городах. Выстраивание надлежащего политического курса органов власти в отношении органов местного самоуправлени в городах позволит обеспечить имидж города за рубежом, исходя из его специфики, несмотря на значительную конкуренцию городов других государств, что важно при принятии решений об определении места проведения важного международного мероприятия. В работе предлагаются выявлены противоречия между правовым статусом и фактической ролью городов внутри страны и за ее пределами и предлагаются пути устранения указанных противоречий.

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КЛЮЧЕВЫЕ СЛОВА: актор политических отношений, политика органов власти, городское самоуправление, развитие городов, местное самоуправление, децентрализация, международные отношения городов, устойчивое развитие.

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