

Institute / Higher School: Law Institute

Chair: Chair of Constitutional and Municipal Law

Level of study: bachelor's degree

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Subject matter: Constitutional and legal foundations of the federal structure of the Russian Federation

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The topicality of the research: The basis for building a system of public authorities of the subjects of the Russian Federation is the historically established doctrine of the division of power into three traditional branches: legislative, executive and judicial. In states with a federal structure, this division system is complemented by a division of state power along the vertical. Such a model has developed in the Russian Federation. At the present stage, the initial legal provisions for the organization of state power in the Russian Federation in general and in the system of each constituent entity of the Russian Federation are included in the 1993 Constitution of the Russian Federation. Confirming state integrity as the basis of the federal system, the unity of the system of state power, the 1993 Constitution of the Russian Federation establishes a distinction between the subjects of reference and powers between the bodies of state power of the Russian Federation and public authorities of its subjects. In accordance with the fundamentals of the constitutional system, the system of state authorities of the subjects of the Russian Federation is established by them independently.

Features of the federal system of the Russian Federation - asymmetry, the difference in the political and legal status of the subjects of the Federation, the complex, multilevel nature of the federation - have a significant influence on the formation and functioning of the authorities of the subjects of the federation, which determines the relevance of the chosen topic of work.

The object of this work are public relations that regulate the organization and activities of public authorities in the subjects of the Russian Federation.

The subject of the study are rules of law governing the improvement of the constitutional and legal status of public authorities of the subjects of the Russian Federation, as well as the involvement of these bodies in the constitutional and legal responsibility.

The aim of the research is to investigate the constitutional and legal foundations of the organization of the system of public authorities of the subjects of the Russian Federation.

Objectives:

to study the formation of the system of public authorities of the subjects of the Russian Federation;

consider the current system of state authorities of the subjects of the Russian Federation, its regulatory and legal framework;

to investigate the legislative (representative) bodies of state power of the subjects of the Russian Federation;

study the executive bodies of state power of the subjects of the Russian Federation of the Russian Federation;

Analyze the constitutional and legal responsibility of legislative (representative) bodies of state power and the highest official of the subject of the Russian Federation;

To disclose the effectiveness of the state authorities of the constituent entities of the Russian Federation in the context of the separation of powers and the contours of possible reforms.

The theoretical and practical value of the research is that the approaches and recommendations developed in the course of its preparation can be used in the educational process when teaching the subject of constitutional law. And the theoretical conclusions

contained in the work can be proposed for the subsequent scientific investigation of this problem.

The results obtained: At present, the constitutional and legal responsibility of the highest official of the subject of the Russian Federation can be considered an independent institution of constitutional law. The regulation of the grounds and procedures for bringing to the constitutional legal responsibility of the highest official of the subject of the Federation exercises both federal and regional legislation. A special place among normative legal acts regulating the procedure of constitutional and legal responsibility is taken by decrees of the President of the Russian Federation, on the basis of which an early termination of the powers of the highest official of the subject of the Russian Federation takes place. At the same time, such responsibility has a pronounced political character. A peculiar novelty of the Russian legislation with regard to regulating the constitutional and legal responsibility of the highest official of the subject of the Federation should be recognized as the institution of recall of the latter by the voters, "revived" because of a change in the procedure for empowering the highest official of the subject of the Federation. However, the practice of its application at the regional level has yet to be worked out in the optimized conditions of modern state construction.

The main direction should be the correction of the principle of separation of powers with respect to the federal presidential power: a radical revision of the powers of the President of the Russian Federation towards their restriction is needed, as well as the elimination of conditions that allow the federal presidential power to exercise unconstitutional political and legal influence over other state institutions when adopting federal laws affecting interests of the subjects of the Russian Federation, during the period of regional election campaigns, especially at the elections of the heads of subjects of the Russian Federation.

Among other measures aimed at improving the principle of separation of powers at the regional level, it is possible to specify the following:

1. Exclusion of the practice of creating parallel and other shadow structures of executive power that are not controlled by the legislative body of state power and civil society.

2. Creating conditions and guarantees for the return to the legislative body of state power of real, not imitative, functions in the process of initiating and discussing bills.

3. Improving the mechanism of accountability of the highest official and government to the legislative body of state power.

4. Ensuring the guarantees of the free functioning of civil society, human rights organizations and the media.

5. The admission of the creation and activities of regional political parties in order to eliminate bureaucratic distortions of the constitutional principle of a multiparty system in a federative state.