
Limited Electoral Competition of Russian Legal Political Parties: Causes and Methods

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Abstract

In this scientific article, the author investigated the features of the process of institutionalization of legal political technologies that are used by parties in federal and regional elections. The author paid special attention to limited electoral competition. The originality of the article lies in the fact that it revealed negative trends in the development of political technologies in the party and electoral systems of the Russian Federation. The author notes that the legal basis in the application of certain political technologies during elections negatively affects the subjective party rights, as well as the capabilities of the participants of political parties themselves. This conclusion is based on the achievements of social and political sciences in terms of assessing such manipulations with the consciousness of voters. These problems and the contradictions in the institutionalization of Russian political parties influence electoral competition. The restriction of such competition occurs in the interests of the ruling party and with the consent of competing parliamentary parties. These parties are forced to go along the coalition path in order to achieve common political goals. As a result, the author substantiates the conclusion that under Russian conditions such restrictions acquire an exclusively administrative-bureaucratic connotation. The bodies responsible for organizing the electoral process have the opportunity to create and apply rules that prevent parties from becoming parties to the competitive political environment.

Keywords: legal political party, law, politics, political institutionalization, political institution, party system, political technologies, elections, Russian political parties.

Introduction

The existence of several parties within one system inevitably leads to political competition on various issues, including constituency outreach. If the electoral process serves as the main way to legitimize power, as well as party participation in it, then the competition between organizations, which got the opportunity to contact the voters, should be built on the principles of electoral competition [1; 2].

However, electoral competition can arise not only between political parties. It depends on the peculiarities of the national electoral system, on the influence of party structures on the power and on the electorate. Thus, both individuals and groups (small and large), including electoral blocs and unions, can act as participants between which electoral competition arises.

Because of this broad understanding of the term "electoral competition", the competition between parties in elections is traditionally considered in the plane of substantive (or interparty) competition [3; 4]. Both economically and politically, this kind of competition allows us to establish whom the subject, of the electoral process, is what are its preferences and resources, contributing to the receipt of votes.

However, based on this approach, another classification of electoral competition depending on its structure is actualized. Because of this, on the political market can occur: pure (perfect) electoral competition, monopolistic and oligopolistic forms of competition [5, p. 51].

Methods

The methodological basis of the study of the institutionalization of political parties and the problems of limited electoral competition is based on a variety of methods. Among them the systemic and structural-functional methods, as well as the method of institutional analysis were actively used. The paper considers the institution of political parties as a complex and ambiguous political phenomenon that develops under the influence of various factors and under conditions of significant state intervention in both intraparty processes and processes of inter-party electoral competition.

The method of systems analysis is used in the study of political and social factors affecting the institutionalization of party organizations, as well as to predict the trajectory of the subsequent development of the party system of the Russian Federation in conditions of limited electoral competition.

The structural-functional method made it possible to identify the political technologies used both by the state and by party organizations in the elections of all levels. In addition, using this method the author was able to trace the relationship between the interests of the ruling elites and parliamentary parties in the political design of party relations, burdened by administrative and bureaucratic tendencies.

Results and Discussion

Limited Electoral Competition in the Russian Federation

Projecting the concept in question onto the Russian political system, researchers note the presence of both general and special features of restricted electoral competition. Thus, the first group includes phenomena and processes that are characteristic of any system with a so-called "controlled democracy". They traditionally include [6; 7]:

Significant influence (interference) of the executive authorities in the electoral processes;

Dependence on bureaucratic structures of institutions responsible for organizing and conducting elections;

Excessive dependence of political parties on registration procedures, including the right to participate in certain elections;

undetermined amount of administrative control over party activities, including property and finances necessary to carry out electoral functions; limited ability of parties to challenge the authorities, including on their own activities.

Special features of limited electoral competition demonstrate the peculiarities peculiar to a certain electoral system established in the country. Thus they form a unique image of electoral processes taking place in each individual state. In this respect, the Russian Federation presents a rich empirical stratum characterizing the electoral competition by a limited type.

However, registration does not mean that a political party will be able to compete in elections. Because of the changes that took place in the party system of the Russian Federation in 2012-2014 the number of registered parties has greatly increased (up to 77 parties in 2014 and 61-63 in 2019).

At the same time, the conditions for the admission of party organizations to elections, both federal and regional, have become stricter. Significant restrictions include:

- the need to pass the so-called "municipal filter", which is expressed in the obligation for most parties seeking registration by the electoral commissions of the constituent entities of the federation to collect signatures from municipal deputies and elected heads of municipalities (from 5 to 10% with a distribution of votes by territory and mandatory notarization);

- collection of signatures in support of party nomination for elections, with excessive regulation of this procedure by the bodies responsible for organizing the electoral process (even the color of paste for pens, with which signature sheets are filled out, bans on the use of abbreviations of voters' residences, etc. have been introduced);

- Complicated and contradictory rules of campaigning with shortened deadlines, falling mainly on the period when voters are away from their place of permanent residence (summer months, early autumn);

- Restrictive requirements for the opening and use of bank accounts necessary to finance party activities in elections;

- the truncated ability of parties to challenge denials of registration in elections, while being complicated by short deadlines and an unstated evidentiary basis that courts may accept as grounds for upholding party complaints;

- Introduction of the so-called "federal qualification" for parties represented in the State Duma of the Russian Federation or in regional legislative assemblies. Thus, "parliamentary parties" received a preference in the form of absence of obligation to collect voters' signatures.

Reasons for Restrictions on Electoral Competition in the Russian Federation

Traditionally in the economic theory the reasons for limitation of the competitive environment can be reduced to two groups [8, p. 111; 9]: the factors caused by the public and legal entities (state, municipal entity); and the factors provoked by the direct participants of the market (companies, entrepreneurs, business associations).

The mechanism of limitation of electoral competition in the political system is constructed in a similar way, but with certain specifics. In particular, in contrast to economic relations, the state and the participants of electoral processes can merge, representing in essence a single subject. Such in the modern Russian political system is the dominant party, which has not only a majority of deputy mandates in the federal and regional parliaments, but also exercises personnel control over the bodies personifying other branches of power.

In this regard, the opinions of researchers differ. Some believe that such a relationship between the so-called "party of power" and state institutions is not obvious [10]. For example, I.I. Nazarov notes the opposite effect in the form of administrative control over party policy [11]. E.A. Kochkarova assesses the parity nature of this relationship [12]. Representatives of the theory of elites do not emphasize the party-political form at all, reducing the relations under consideration to interpersonal power features [13].

In the institutional sense, the fact of primacy - party or cadre - is not of fundamental importance. Both on the part of the legislative body and in the plane of activity of special bodies of executive power party organizations are subjected to the same restrictive impact. By adopting yet another amendment to the current legislation the Federal Assembly continues to give the Ministry of Justice broad powers in interpreting the conditions for the existence of political parties. This is expressed in a whole complex of bylaw (mostly departmental) rulemaking aimed at establishing additional restrictions on registration of party structures and their admission to the electoral process.

Such monopolization of the political system is natural [14]. Any dominant corporation will seek to eliminate competitors. It is noteworthy that economic theory recognizes the fact of interest to restrict competition on the part of the so-called "outsider companies" [15, p. 132].

On the political plane there is a similar picture, when the parties with parliamentary seats legitimize the power decisions aimed at limiting electoral competition. An example of this is the voting in the State Duma of the Russian Federation for a bill to introduce the so-called "municipal filter" in regional and local elections. In addition to the faction "United Russia", this document was also supported by the deputies of the CPRF (the deputies of the LDPR faction and the party "Just Russia" were against it) [16].

The essence of the specified restriction boils down to the obligation of candidates (including parties) applying for participation in regional and local elections, to collect signatures of deputies of municipal representative bodies and elected heads of municipal formations in the amount from 5 to 10%. The exact figure is set by the subject of the Russian Federation in its electoral legislation. Given the fact that the majority of seats in municipal representative bodies belong to deputies of the United Russia party, a controversial rule arises: the dominant party in a certain way gives consent to its competitors to participate in elections [17].

Such a step was caused by the liberalization of the party system by reducing the registration requirements (the number of regional branches, the number of party members, etc.) in 2012. As a consequence, there were more registered parties in the Russian Federation, which implied an increase in their competition in elections. However, almost simultaneous toughening of electoral legislation both at the federal and regional levels resulted in actual impossibility to exercise party rights and freedoms. It is noteworthy that the victims of this political technology were the candidates of the CPRF, which voted for the introduction of the "municipal filter" [18].

Thus, the restriction of electoral competition occurs both in the interests of the ruling party, and with the consent of the competing parliamentary parties, forced to follow a coalition path in order to achieve common political goals.

Summary

If we imagine elections as a form of political market, then its key players, like economic actors, seek to consolidate their own position and set up additional barriers to the "entry" of other competitors. At the same time, such technology expresses both in institutional conditions [19] and in political attitudes aimed at the grassroots level (i.e. municipalities).

The desire to stabilize the political situation in the country is akin to the desire of economic dominants to regulate the price level at the market of a certain good or service. Under the conditions of limited competition, the electorate is offered only those political parties whose programs, other things being equal, may be inferior to other political proposals. Thus, the electorate is forced to buy the "political commodity" which is available or refuse to participate in its purchase (in the form of a lower electoral turnout).

At the same time, if we follow the postulates of economic theory, in a situation of limited competition all participants can be interested [20, p. 77]. This specificity occurs in a "recession", which entails a decrease in demand for goods (services) [21; 22]. With the preservation of production capacity at the same level, the situation is inevitable when market participants begin to coordinate actions in favor of the need to "freeze" prices. This motivation drives the political parties that agree with the emergence of new restrictions in the electoral process. However, only a relatively small proportion of them, without taking part in the legislative activity, are forced to follow the institutional framework, which is set by the major players of the political market.

This explains the CEC statistics on the disproportionate ratio of the number of parties eligible to participate in federal and regional elections to the parties that, as a result, are registered in such elections. Even on the plane of those who wish to become a player in the electoral process, there are quite a small number of party organizations that apply to the CEC or to the central election commissions of the subjects of the Russian Federation (25 of 75 in the 2016 federal parliamentary elections, 12 of 61 in the 2019 parliamentary elections in the Republic of Tatarstan)

Conclusions

It turns out that limited electoral competition is not built on violation of the principles outlined in the Constitution and in sectoral legislation. In the Russian conditions, it acquires exclusively administrative and bureaucratic connotations [23], which predetermine the ability of bodies responsible for organizing the electoral

process to create and apply rules preventing parties from becoming participants in a competitive political environment.

The primary limitation of opportunities for participation in elections occurs when addressing the essence of the category "political party". In the Russian institutional environment, this concept has always had an ambiguous nature. Thus, despite the signs of a public association, parties have been understood both as special subjects of the electoral process and as equal structures on the background of other electoral blocs and unions. Therefore, the introduction of compulsory state registration for organizations, claiming the status of a political party, serves as a key restriction of assumed electoral competition.

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Bibliography

- [1] Tregubov N.A. Election competition and voting motives: discourse and practice. *Discourse science: methodology, theory, practice*. 2016. no. 10. pp. 328-352.
- [2] Shapiro I. Rethinking the theory of democracy in the light of modern politics. *Polis. Political studies*. 2001. no. 5. pp. 54-64.
- [3] Kutsenko A.G. Inter-party political competition (Russian and international experience). The dissertation of the candidate of political sciences. Moscow, 2004. 165 p.
- [4] Medvedev V.K. Political competition and the electoral process. *Questions of political science*. 2012. no. 2 (6). pp. 44-49.
- [5] Goncharov L.A. Modern interparty competition in the political practice of Russia and Germany. Voronezh: Publishing named after E. A. Bolkhovitinov, 2008. 137 p.
- [6] Murasheva E.E. Political center in party systems of different types. *Bulletin of the Moscow State Humanitarian University. M.A. Sholokhov. History and political science*. 2010. no. 1. pp. 77-89.
- [7] Dyugurova A.I. Theoretical tools for analyzing party systems. *System of values of modern society*. 2009. no. 8. pp. 33-38.
- [8] Gordeev V.A. Competition and its development: the political and economic aspect. The dissertation of the doctor of economic sciences. Ivanovo, 2007. 298 p.
- [9] Vedin N.V. The dialectic of cooperation and competition in the economic evolution of society. The dissertation of the doctor of economic sciences. Kazan, 2007. 286 p.
- [10] Sakwa R. The Party and Power in Modern Russia: Between Representation and Mobilization. *Political Science*. 2015. no. 1. pp. 60-72.
- [11] Nazarov I.I. "The Party of Power": a system analysis of representation in state authorities. *Pro nunc. Modern political processes*. 2014. no. 1 (13). pp. 24-38.
- [12] Kochkaroza E.A. Some questions of the interaction of public authorities and political parties. *Modern Science*. 2019. no. 4-1. pp. 201-206.
- [13] Gilmanov V.V. Methods of research of modern Russian parties as mechanisms for electoral recruitment of ruling elites and leaders. *Theories and problems of political research*. 2017. Vol. 6. No. 2A. pp. 172-182.
- [14] Nikitina N.N. The dialectic of competition and monopoly. Dissertation of the candidate of economic sciences. Ufa, 2005. 190 p.
- [15] Vasiliev E.P., Vorobiev I.N. Perfect competition and monopoly: theoretical limits. *Modern competition*. 2008. no. 2 (8). pp. 130-135.
- [16] «Communist Party confronted the municipal filter» / http://www.ng.ru/politics/2019-03-18/3_7533_kprf.html (date of the application – 06.07.2019).
- [17] «Less than half broke the municipal filter» / <http://journalufa.com/12441-municipalnyy-filtr-preodoleli-menshe-poloviny.html> (date of the application – 06.07.2019).
- [18] «Communist Party will help pass the municipal filter in the presidential elections in the Republic of Tatarstan» / <https://www.business-gazeta.ru/article/135216> (date of the application – 06.07.2019).
- [19] Zaznaev O.I. Political institutionalization: a concept analysis. *Herald of Kazan state technical university named by A.N. Tupolev*. 2005. no 4. pp. 70-73.
- [20] Karibov A.P. Post-industrial prospects of competition and monopoly development. *Power*. 2012. no. 8. pp. 76-79.
- [21] Petrov M.A. Strategy for the development of competition in the banking sector of the economy. The dissertation of the doctor of economic sciences. Saratov, 2006. 418 p.
- [22] Borodin K.G. Modern agri-food markets: competition, integration, regulation. The dissertation of the doctor of economic sciences. Moscow, 2005. 345 p.

- [23] Zaznaev O.I., Garipov R.F. Constitutional and legal problems of identity of several state bodies and officials with branches of power of the Republic of Tatarstan. Herald of economics, law and sociology. 2012. no 4, pp. 156-159.