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Democratic Constitutional Ideal and Problems of Political Culture in Russia

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This article analyzes the Russian constitutional ideal that should be «turned» into a complete ideology that could effectively influence the formation of a modern democratic culture of the population. Inconformity of the political legal activity of the state with the constitutional ideal is stated.

Keywords: state, democracy, constitutional ideal, political science, political culture, law.

Point of view

In the formation of the political culture of the population in every country ideology is always important. In Russia the state ideology in other words, the official, imperative ideology is constitutionally prohibited. But it does not mean that the legal and political activities of the state don't have the ideological basis – it is fixed in the Constitution: Russia is a democratic law-bound state (The Constitution of the Russian Federation. 2011: Article 1). This is not an ideology in the scientific meaning of the term but it is a common regulatory standard, entrenched the constitutional ideal which can and should be «turned» into a logically and empirically grounded concept by the domestic science that takes historical, national, religious and cultural characteristics of Russia as well as social-psychological and mental characteristics of its population into account. It is not important how to call this concept. The most important thing is by means of this concept to form

the constitutional ideal in the full ideology competing with others.

Example

First of all, it is necessary to note that if the ideal is utopian and the ideology of the country has been forcing to the population almost unrealizable values for a long time, as a result there will be the inevitable collapse of the system. That's how it was in the Soviet era: the classics of Marxism-Leninism built an example of a perfect society. The country developed a system of moral, political and other beliefs and practices, and on this basis a powerful mechanism of upbringing and education in the official ideology acted. But this orderly system originally contained its own negation, a negative paradigm, because ideal future was constantly in contradiction with the difficult, even hopeless present. And if the young generation of the 20th religiously believed in the norm of the ideal society and its quick «materialization», this faith disappeared with

time in subsequent generations. The lack of faith was growing expressed in a wide range of official and negative behavior from «kitchen» critics of the form of government and «persons» to the legal nihilism and moral degeneration. The creators of the theory and the authority of the country were in practice idealists (not realists, at least), because their theory and practice were based on the idea of a man as he should be, not what he is.

Meanwhile, in the psychological basis of personality there is a normal human selfishness and the desire to be important in real life. Because of these basic factors, a person sees the world only through the prism of his own «I» and represents this world, this society in itself only through a daily reality of his own «I». A sincere mass belief in the ideal can take place only in a historically short period of time during extraordinary situations such as revolutions or wars. Under normal circumstances, socialization of the individual happens in his daily routine, sociality firstly reflects in everyday consciousness. Scientific mind can be formed only on the basis of the ordinary, but not vice versa – because of the human nature, because of his natural way of socialization. But there were attempts to do «the opposite». Everyday life and everyday consciousness «branded» as something inert, routine as «suburbanity» In fact, it was an attempt to alter the very nature of man, to create the inverted world. To the extent that this attempt failed, we got a mass conformity, «double» morality (and immorality), disbelief, not only in the authority but also in the homeland.

The modern constitutional ideal is not utopian, moreover, it is largely implemented in most developed countries. «Man, his rights and freedoms are the supreme value» (The Constitution of the Russian Federation. 2011: Article 2). It is also the consolidation of the constitutional ideal on the basis of understanding

by the legislator that a modern state is more legitimate if the population of the country is able to provide maximum security – legal, political, economic, etc. In this case, coercion as a method of ruling is minimized, as citizens, really protected by the state voluntarily acknowledge their dependence on the government. «The state rules over its citizens ... because the citizens realize that they are dependent on it, and the state rules as far as they are aware of this dependence. In the degree of their consciousness the measure and the border of state authority are based» (Korkunov, 2003:167).

The legitimacy of the government and the law is the most important condition for the stability of any state and the process of legitimation is largely dependent on the ideological support. Ideology in its entirety is a form of self-reflection of society, class or group. In the ideology the interests of the social community get their more or less adequate interpretation or pseudoscientific study and systematization. The main function of ideology is the protection of the interests of a community of people through the study of strategic lines of its behavior. This function is performed by forming beliefs which become a dynamic stereotype, a mental form determining the evaluation unit of thinking. Beliefs in the end are the basis for the motivation of human action. They determine the vector of actions and thoughts of individuals and groups in achieving the objectives of the real or perceived interests.

In our opinion, even in presence of ideological pluralism and the prohibition of official ideology for the effective development of modern democratic culture Russia needs an ideology, fully adapted to all the features of the country. Based on a democratic constitutional ideal, the ideology should meet the personal, group and at the same time the public interest. Moreover, such an ideology, building a number of value not from above (from the state) but from

the bottom (from the person), can maximize the social base of the state, thereby legitimizing the authority and the law.

It would seem that the ruling elite in the country should understand this and act accordingly – it's in its interests. At least it would be logical to organize a political education corresponding to the ideal until there is a complete democratic ideology (fragments of classical ideologies are ineffective in Russia). But clearly not coping with governing the country, the authorities are trying to strengthen the regime by undemocratic methods such as laws and banal demagogy. «In recent years Russia was on the way of limiting the operations of the rules of the Constitution of the Russian Federation ... There is an active imitation of democracy». (Denisov, 2012: 33).

The model of this kind of demagogy is the fact that the modern political culture of young people is one of the priorities of the entire system of upbringing and education. It is said by politicians and officials at all levels. But in fact there is the opposite tendency. An example is the teaching of political science at the universities. In the Soviet era, it was considered a pseudoscience and it was banned. It began to be taught in all high schools in the early 1990s of the twentieth century and now, according to the latest State Standard teaching hours of political science are cut by a third, but the main thing is that political science is an elective discipline. It means that the university management decides whether to include or not the political science in the curriculum. Taking into account the fact that the majority of current university leaders themselves were students in the USSR and they did not study political science and they have now enough problems connected with training specialists, it is easy to foresee the sad fate of this discipline.

It seems that the effort to «ruin» political science is not just a mistake or a demonstration

of ignorance of some unnamed officials of Ministry of Education, but it is a very deliberate and purposeful activity as a part of the strategy of destruction of the entire system of education. Otherwise, it is simply impossible to interpret modern «innovations» in this field to view them from the standpoint of a systematic approach.

Therefore, the analysis of the relationship of words and deeds is interesting. For example, all of the most famous politicians of the country are always talking about the need to strengthen and develop the civil society, to increase its role in the solution of all problems. But very few people know (including people with higher education) what civil society is, what elements, structure it has, and especially what role and importance in the formation of a democratic regime it plays. Consequently, current politicians are calling for building and developing «something that they do not know». Incidentally, only the political science thoroughly studies everything connected with the civil society, and therefore, it may contribute to the formation of modern political culture of students. The question is whether the authorities need it or not.

Political leaders often speak of «managed democracy» in the country. What is it? Perhaps this is the real («managed») restriction of voting rights of citizens compared with the last decade of the last century. For example, the turnout of voters in elections at various levels is canceled because of low activity of citizens. But passivity is due to uselessness of political participation, so useless activity is followed by quite sensible passivity. Moreover, that is not understandable even for the most literate voters for example, why «electoral threshold» for the parties in the elections to the State Duma is raised from 5 to 7%, why political coalitions which are common in democratic countries are banned, why the new law on referendum has made its organization by citizens practically almost impossible, why the

vast majority of officials are members of the same party, etc.

The Upper House of Parliament – the Federation Council – consists by half of the representatives of executive power. Therefore, there is an obvious violation of the concept of separation of powers. Recently a new law on the procedure for forming of the Federation Council has been passed, but it has not changed anything: still half of its members are the representatives of the executive branch, headed by the President.

So it turns out, that the State Duma consists more than by half of members of the president's party, what is provided by a «specific» electoral law, half of the Federation Council members belong to the executive branch and the rest mostly are the members of the same party. The government is totally dependent on the head of the state (this is according to the Constitution). The judges of higher courts – Constitutional Court, Supreme Court and Supreme Arbitration Court are appointed by the Federation Council on the recommendation of the President. That means the courts are «under the control of the President». The simplest example is the Constitutional Court in 1996 ruled that the governors should be elected by the people of the territorial subject of the Federation (decision for the Altai region), because it is only constitutional. In 2006 the same court ruled that the governors should not be elected by the people and it is constitutional. We are waiting for the decision of High Court in connection with the new law on elections of governors.

Thus, all three branches of government are under the control of the President. This is complemented by the introduction of amendments to the Constitution and its interpretation of the authorities, which allows the state «to act practically uncontrolled in all spheres of social relations; norms and procedures limiting the power are rejected, it is directly contradiction to the principles of rule- of-law state. The power in

this case has a direct opportunity to influence the legislator through the ruling party and other tools to transform not only the political system but also the rights of citizens towards their apparent reduction» (Dobrynin, 2012: 5).

Where is here the concept of separation of powers as the basis of modern democracy? Note that this concept as well as others such as sovereignty of people, legitimacy and consensus, federalism is the subject of political science.

Russian federalism is also «managed». Heads of federal subjects were firstly elected, later since 2004 appointed and now they are elected again. But the law has established such a «filter» that only the member of the ruling party can become the governor of a territory, region or the president of a republic. Of course, there may be exceptions but some anti-exceptions are provided too. For example, the president can send the governor to resign due to «loss of confidence». Thus, on the one hand we can see the complete lack of respect of authority will of the people of the territorial subject of the Federation, on the other hand, again the same vertical of executive branch, «pocket» governors for the President. Therefore, there is a formal federalism, in other words a «manageable-democratic federal centralism». It is necessary to note that political science studies problems of federalism as well as the party systems which is particularly interesting on the background of legislative rushing from one extreme to the other (talking about the number of registered political parties in the old and the latest laws). Absurdity of party «leapfrog» will be seen in the elections very soon.

Unfortunately, there is the obvious conclusion that despite the change of ruling elites the same fatal regularity for Russia has been repeated again: authority does not trust people, so by all means it eliminates people from political participation. The authority does not want to understand that the political ignorance

and the corresponding political passivity of the population are inevitably transformed into «their something» – into the political and legal nihilism, lack of control and lack of responsibility at all levels, which has already become a reality. For example, everyone can see the uselessness and even the negative impact of many of the reforms initiated by the government in the last 10-12 years (municipal, housing, education, etc.). The country has an incredibly high level of corruption. But the minister of education and the minister of defense (the Ministry of Defence with supercorruption) are appointed by the head of the state. These ministers are included in the Government headed by its Chairman. The head of the state and the head of the government are the same two figures. Who should control officials and be responsible for their «deeds» in a «managed democracy»?

Conclusion

The people are mostly politically passive and silent, but they understand what the root of evil is that's why there are more and more people who are willing to follow the example of corrupt officials against the law and morality. This is the elementary logic of life. The authorities continue to pass obviously useless laws. So, all officials give now their own schedule of revenues and expenditures and schedule of revenues and expenditures of their marital partners and minor children. Such a measure would probably have an effect on legitimate Germans and Finns, but our thief-official of great resource will only grin sarcastically. Meanwhile in Soviet times for the majority of acquisitive crime such an additional

penalty as confiscation of property was applied. It was very effective as thief considers something stolen to be his own, so, he experiences confiscation psychologically more painful than imprisonment. This served as a punishment for some people and as exemplary for the other. In fact, now there is no such a measure. And why? In this regard people usually remember proverbs: «One hand washes the other» or «crows do not pick crow's eyes». Again there is the simple logic that leads to the conclusion that if it is allowed to someone, it is allowed to the other. This is a moral line that people politically illiterate and excommunicated from effective participation in government and society easily overstep.

Overall rating of the ruling elite is reduced, it means there is a process of delegitimization of law and authority (political science studies these questions). Elite tries not to notice it apparently believing that the low political culture of the population will help it longer maintain its status. Regardless of the name «managed model of democracy», «soft authoritarianism» or «monocentrism» modern public-political regime roughly contrary to the constitutional ideal can of course control the situation in the country, but it «generates stable relations only for a certain time and unfortunately leads to a «new stagnation» and it already happened in the history of Soviet Russia» (Korkunov, 2003: 48). In our opinion the «new stagnation» is the best variant, but more pessimistic scenario is possible too. It is fair to say that since 2012 there has been a positive trend to change the situation in lawmaking and governing, but it has only been a tendency so far.

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Демократический конституционный идеал и проблемы формирования политической культуры в России

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Статья посвящена анализу российского конституционного идеала, который необходимо «развернуть» в полноценную идеологию, способную эффективно влиять на формирование современной демократической культуры населения. Аргументируется полное несоответствие политико-правовой деятельности государства конституционному идеалу.

Ключевые слова: государство, демократия, конституционный идеал, политологи, политическая культура, закон.
