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EFFECTIVENESS OF POLITICAL DECISIONS: CONSENSUAL AND REPRESENTATIVE MODELS

The article reveals the scientific basis and features of the theory and political practice in various models of public decision-making. The advantages of the consensual model over the representative one in decision-making in the process of settlement of political and ethno-political conflicts are emphasized.

Key words: political solution, conflict settlement, representative model, consensual model, political conflicts, ethno-political conflicts.

The problem of applying consensual procedures in strategic public decision-making is particularly relevant for societies with transitional democracy and fragile institutions of the political system. It should be recognized that such is the political status of the majority of the post-Soviet states today.

For example, the system of political decision-making functioning in Russia, as well as the electoral system are a kind of a mixed system based on the alternation of majority one-stage and proportional systems. Such systems operate in many countries of the world. But, in recent years, scientists and experts recognize that it has such obvious shortcomings that for a long time both here and abroad, and in theory and in practice, there is a search for both the principles of its possible improvement and more democratic systems in order to achieve effective solutions and ensure political stability.

By the way, proportional systems operating, for example, in Italy, Finland, Switzerland, Austria, Sweden and other countries have great advantages. However, in the conditions of the multiparty system in our country and the existing Russian experience of the State Duma party lists elections (2007-2016), it is unlikely that a widespread transition to the system of party list elections is realistic again in the future.

In addition (and most importantly), this system, suitable for organizing and holding elections, cannot be used in the conditions of the Russian system of power as a universal tool for making strategically important state decisions. The shortcomings of the current mixed system of political decision-making are determined by factors of objective and subjective character. It is no secret that at this stage the Russian society is characterized by the processes of polarization of interests and the resulting goals affecting broad starta of the population, which

is confirmed by the results of numerous sociological studies. The reflection of these objectively occurring processes is the confrontation of socio-political forces acting as the exponents of a certain system of group, cultural, ethnic, regional and other interests.

Since the deputies of the Federal Assembly of Russia included representatives of various socio-political forces and trends, the model of public confrontation was inevitably reproduced by the activity of the legislative bodies.

However, the existing rules and procedures set out in various normative acts practically do not contain mechanisms aimed at removing social tension in society by adopting such legislative acts that would fully take into account the whole range of public interests in Russia. It is no coincidence that at the end of the 90-jes of the last century many political associations their attempt to ensure political stability in the country along with parliamentary activities concluded Public Accord Agreement.

The mechanism of representative voting on the draft political decisions submitted for discussion in these parliamentary rules of the Russian Federation is based on the concept of the representative system of power, that is, the division into majority and minority, which in the conditions of social destabilization, as a rule, becomes an additional factor of political discord and a source of political conflict.

That is why in modern conditions of our social development the most democratic and effective system of strategic government decision-making could be a system of consensual decisions.

Political consensus is not only a new voting system, but also a new approach to solving social and state problems. It should be considered as a universal democratic principle, objectively determined by the needs of modern public consciousness in the free development of all forms of political activity and in their harmonious interaction in solving both domestic and international problems.

Consensus opinion is a median opinion. Just as there is an average age and average growth, there is also a centre of public opinion that can be identified through harmonization. The level of consensus indicates the extent to which this particular proposal is agreed upon, i.e. is close to a common view. The centre of public opinion is characterized by the fact that no one opposes it; it is a point of general agreement. Further on, the interests of the parties diverge. At the same time, if the method of decision-making becomes the method of coordination in the society, the level of consensus will tend to increase.1

Centrist policy shows an increasing interdependence of forces operating in the society. Neglect of the needs of certain social groups inevitably leads to a disharmony within the society and a loss of support by the government from the the majority of the population. From the legal point of view, consensus as a common will creates preconditions for the formation of the realistic law.

¹ See: Medvedev N. P. Political consensus: theory and practice. 2nd edition-revised and supplemented). – M., 1999. – Pp. 19-35.

The mechanism for identifying opinions should be based on a classification system. When discussing, for example, a draft law, all expressed opinions are classified into equal blocks of opinions with the condition that each expressed opinion will be taken into account and included in a certain block.

The method of decision-making is a consensus vote, which involves the presence of several proposals on specific provisions of the bill or other decision and is carried out by taking into account the preferences expressed. If several very different proposals were made in the course of the discussion, then the analysis of the results should be based on those proposals that have received a high level of consensus and do not contradict the principle idea of the project and can be included in the final decision.

It should be noted that the same is true for the procedure of election of deputies of representative and legislative bodies both at the level of the Russian Parliament and at the level of the subjects of the Russian Federation. If voters had the opportunity to put their preferences on the ballot, the results would be clearer and fairer. Therefore, a change of the voting procedure and rules of tabulation in this system would exclude the concept of "failed elections" or repeat voting. But, most importantly, through this procedure, it would be possible to better take into account the opinion of socio-political minorities at the stage of formation of power.

A significantly new approach to the introduction of the principle of consensus in public policy is the formation of the modern concept of political and legal culture aimed at finding a compromise acceptable to all subjects of the conflict situation. In this case, a search for the mutually acceptable solution to a controversial issue should be based on common sense, according to which it is much more difficult to agree or straightforwardly bring together positions declared by the disputing parties, than to analyze the hidden fundamental interests of the parties behind these positions and to find the basis for an agreement in the area that does not intersect the line of confrontational positions. The developed procedural mechanism acts as a tool for the removal of fruitless confrontation and political conflicts.¹

The principle of consensus is of particular importance for the resolution of ethno-political conflicts, given the fact that many frozen and unresolved conflicts remain in the post-Soviet space and in the world as a whole.

The importance of consensus is determined by the fact that as a rule, it assist in the developing of mechanisms for resolving contradictions both through a system of conventional representative democracy based on the priority of civil rights and on the basis of democracy of consent, i.e. the principles of equitable consideration of collective interests, especially the interests of small groups that preserve and defend their specificity and distinctiveness. At the same time, it is always based on the general democratic principles and human rights, completed

¹ See: Medvedev N. P. Political consensus; once again on the essence of the concept // Issues of politology. $-2018. - N_{\odot} 2$.

by a system of special measures, special programs, in other words, the policy of pluralism and cultural autonomy, and in some cases by the representation of regional or community self-government, and in some cases, by political autonomy.

Few years ago, it was possible to say that interethnic relations are developing under the influence of socio-economic factors, at the moment, the ethno-national factor often becomes the determining factor. In these conditions, the lack of a clear theoretical concept or a program for the development of interethnic relations can aggravate the crisis and lead to an unmanageable conflict in any society. The lack of theory and unpreparedness of public authorities to the analysis of interethnic relations and their management can lead to an unpredicted development of ethno-national relations. Whereas development of mechanisms of consent and negotiation process create prerequisites for the constructive resolution of contradictions arising in the process of development and interaction of ethnic communities.

One more consideration on the importance of a constructive negotiation process. It should be borne in mind that ethno-political conflicts can be used as a political tool. They are often used as a means of power struggle. The opposition often resortes to them in its political struggle. Its tactics are simple: either provoke an escalation of armed clashes and then in an extreme psychological situation try to seize power, or by peaceful means, proving in Parliament the inability of the current government to effectively protect national interests, or by military means, carrying out a coup in the conditions of paralysis of power and mass discontent of the population caused or aggravated by its own actions. The latest events of the beginning of the XXI century in Iraq, Syria, Yemen and Ukraine are vivid evidence of the political implementation of these scenarios of social development.¹

In the context of another political scenario, the conflict can be used as a means of retaining power. Sometimes it is necessary to ignite inter-ethnic passions in order to cool domestic politics, such tactic is used by functionaries who seek to deflect the discontent of the population in the event of a sharp deterioration of socio – economic and political conditions, or in connection with a significant increase in the influence of the political opposition.

Finally, the conflict can be an instrument of geopolitical hegemony. To ignite conflicts in a neighbouring region in order to weaken it and then to punish or annex a part of the territory or simply to keep in political reins is an old tactic of many superpowers.

In a number of cases, negotiations between the parties to ethno-political conflicts have proved fruitless. There are many reasons why the negotiations may fail, but it does not mean that they cease to be an effective tool in the settlement of ethnopolitical conflicts. Another thing is that this tool is often used clumsily, without creating the appropriate prerequisites.

¹ See: Medvedev N. P. Bekbosynov M. B., Gaiduk V. V. Ethnopolitical and regional studies: Russian and international dimension. - M., 2016. - Pp. 79-94.

There is no doubt that, based on the principle of the legitimacy of the government, ethno-political conflicts will have to be resolved mainly through negotiations and compromises in the foreseeable future. In other words, this will be due to the apparent heterogeneity of political regimes in different countries. A necessary cooperation between the parties to the conflict on the basis of normative material, including provisions of the international law. Given the great diversity in the relations between the international centres, as well as the internal instability, it is natural to focus in real politics on multilateral and bilateral negotiations involving the main forces and centres of power in the political process. Such a policy requires a legal framework for political interaction at all levels.

The problem of complete elimination of ethno-political conflicts can hardly be raised. Therefore, the priority is to make conflicts manageable and to put them into constitutional and legislative framework. This will help to reduce aggressiveness, to prevent open clashes and human casualties and to resolve all disputes on the basis of the principles of legality and consensus. Only on this basis can we build a system of specific mechanisms for resolving ethnic and political conflicts.

Such mechanism can be primarily reached through an inter-ethnic harmonv under the influence of economic infrastructure ensuring equal conditions for all citizens, regardless of their nationality.

Next step is creation of a cultural infrastructure of interethnic harmony. This mechanism involves regular organization and implementation of a series of activities aimed at creating favorable conditions for the activities of national and cultural autonomies and societies, formation of customs and traditions, etc.

The mechanism of humanization of interethnic relations, including both strict observance of the rule of law and wide involvement of the public in the promotion of non-violent methods of solution of interethnic conflicts, is of great importance. It is important to encourage allocation of a part of means of various humanitarian funds for the assistance to refugees, as well as other charitable purposes.

Finally, the forecasting of international conflicts, identification of tension indicators in interethnic relations, identification of both areas of conflict and areas of consensus is of major importance. The implementation of this mechanism makes it possible to organically combine the activities of various socio-prognostic and information research centers with the practical activities of government authorities.

The legal basis of national relations is of crucial importance for the development of the principle of political consensus. First of all, we are talking about the formation of a detailed concept, a full-fledged theory of state-building and national policy for the future. The decisions made by the President of the Rus-

¹ See: The drama of Russian law. Tikhomirov Y. A., Kazimirchuk V. P., Medvedev N. P., Livshits R. Z., Cheharina V. I., Varlamova N. V., Lapaeva V. V., Gavrilov, O. A., Smirnov, V. V., Institute of state and law of the Russian Academy of Sciences. - Ser.: Conflict of law and society. - Moscow, 1996.

sian Federation on the strategy of national state policy for the period up to 2025 or other periods are clearly insufficient and are declarative in their character.

Ensuring the regulatory framework for the stabilization of interethnic relations is of fundamental importance, since the existing framework is extremely imperfect and has a predominantly declarative, political character. In the process of improving the regulatory framework it is necessary to take into account, first of all, international acts: the UN Charter, the Universal Declaration of Human Rights, the International Covenantion on civil and political rights, the Helsinki Final Act and other documents of the Conference on security and cooperation in Europe, etc.

In conclusion, it is necessary to emphasize once againthe the fundamental difference between the procedure of political decision-making in consensual and representative models. The adoption of laws by a majority vote of deputies or other representative assemblies in any case bypasses or does not take into account the views of various minorities, which often leads to erroneous or ineffective decisions. In order to solve the problem of taking into account the views of all interested parties, consensus procedures should be treated more carefully at all stages of political decision-making.

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