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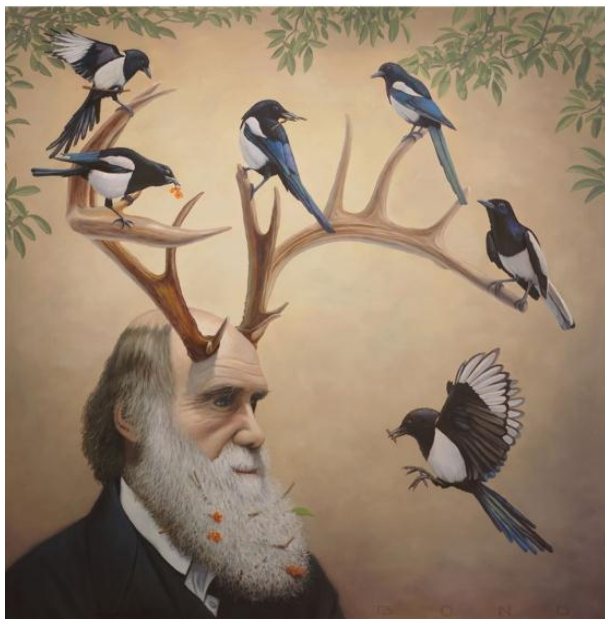
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Universidad del Zulia
Facultad Experimental de Ciencias
Departamento de Ciencias Humanas
Maracaibo - Venezuela

Public administration and government responsibility in the digital era

Davletshin Ayrat Ramilevich¹

¹Kazan Federal University, assistant of department of civil law
davletshin@mp-law.ru

Aleksey Viktorovich Chepus²

²History of Law and International Law of Russian University of Transport (MIIT)
alexal_2004@mail.ru

Natalia Viktorovna Mamitova³

³Department of State Law and Criminal Law Disciplines of Plekhanov Russian University of Economics
nvmamitova@mail.ru

Abstract

The article is devoted to the theoretical and methodological understanding of the government responsibility in the realities of the process of digitalization of state and society via the methods of analysis, synthesis, induction, deduction. As a result, the institution of responsibility in crimes and administrative offenses should be reflected in the Russian legislation in relation to senior officials of the executive power. In conclusion, public authorities should be fully integrated into the digital economy to fully perform their tasks.

Keywords: Government, Responsibility, Public, Administration, State.

Administración pública y responsabilidad del gobierno en la era digital

Resumen

El artículo está dedicado a la comprensión teórica y metodológica de la responsabilidad del gobierno en las realidades del proceso de digitalización del estado y la sociedad a través de los métodos de análisis, síntesis, inducción, deducción. Como resultado, la institución de responsabilidad en crímenes y delitos administrativos debe reflejarse en la legislación rusa en relación con los altos

funcionarios del poder ejecutivo. En conclusión, las autoridades públicas deberían estar completamente integradas en la economía digital para realizar plenamente sus tareas.

Palabras clave: gobierno, responsabilidad, público, administración, estado.

1. INTRODUCTION

Parliamentary responsibility of the government as a kind of constitutional responsibility should be a reliable support for strengthening the rule of law in the country that is an essential condition for the development of democracy of the Russian state. It is obvious that with significant changes and reforms taking place in the political, legal, economic, digital and other spheres of the functioning of the Russian state, special attention should be paid to the cooperation of public authorities and civil society institutions. In this regard, the issue of legislative support and legal regulation of the parliamentary responsibility of the government is acute (MARX, 2000).

The modern period of the development of the Russian state is characterized by systemic reforming of the political, economic and social foundations of the civil society. In the Presidential Address to the Federal Assembly of the Russian Federation dated March 1st, 2018 the issue was raised that the digitalization of the public administration system, an increase of its transparency is a powerful factor in combating corruption. In this regard, the task was set to ensure in the following six years the transfer of public services to the online regime using remote services, and the document flow between government

bodies to be carried out exclusively in an electronic form. These measures on digitalization of the work of the authorities will increase the responsibility of state bodies and transparency of their work and will be combating corruption, according to the President of the Russian Federation (DUBONOS, 2001; WEBER, 2016: KORD, NOUSHIRAVANI, BAHADORI & JAHANTIGH, 2017: RAHMANI, 2018).

2. METHODS

In the course of the study, first of all, the dialectical method of scientific knowledge was used in the framework of the general theoretical analysis of the Government activity. The system method helped hold a comprehensive study of the system of executive power and the place of the Government in this system in the aggregate and the integrity of its elements. The functional method made it possible to identify the functions of the Government and their modernization in the digital era. In addition to these methods, the methods of analysis, synthesis, induction, deduction were used, which in the complex allowed to achieve the results of the study.

3. RESULTS AND DISCUSSION

The administration is a special phenomenon that is common in absolutely all spheres of the living environment of society, be they

social, economic, political and spiritual institutions. Despite the fact that in the context of the present study, the term administration will mean exactly that context in which the subject of this process is a state (public administration), in view of the complexity and diversity of this phenomenon, as well as due to the lack of a generally recognized definition it is necessary to consider this definition in more detail and, thus, identify the essence, content and composition of the concept relevant in this study (ANTONOPOULOS, 2018: UNVER, HIDIROGLU, DEDE, & GUZEL, 2018).

The essence of any concept lies in its special understanding according to the actual directions of philosophical and scientific thought, as well as the type of socio-economic formation, i.e. the current level of development of industrial relations, methods of production, forming the basis of society, and its characteristic (basis) periphery in the form of politics, culture, etc. In the case with the category of public administration, the discussion around this concept lasts since the era of antiquity (EFREMOVA, 2000).

The thought about administration developed and evolved throughout the period of development of society, at the same time, despite all kinds of differences, the leitmotif of the above works was one idea – the idea of an inextricable connection of administration with society and state, as administration is a historically developed form of enforcement of state power. This idea has formed only at the end of the XIX century – the beginning of the XX century in the works of such thinkers as K. Marx, M. Weber, F. Taylor, and others. Based on the

works of Russian scientists, the term public administration is identified by many authors with the state administration, for example:

- AVDOSHHN (2016) notes that with the adoption of the Constitution of the Russian Federation public administration began to be used as a unifying and generalizing – state-federal, sub-federal administration and local self-government;
- MINAKOV (2008) speaks about public administration as a form of state administration, as a form of exercising of executive power;
- PIONTKOVSKY (1963) believes that public administration is a kind of another form of exercising of state power – social management, that is, the category of public administration aimed at meeting public needs, but again without the population participating in the decision-making process. At the same time, the author distinguishes transparency, legitimacy and democracy as characteristics that in the end again refer us to the formulation of (KUZMIN, 1998).

Thus, in most cases, the interpretation of the concept of public administration loses the meaning of the concept of public state administration, that is, the involvement of the general public in decision-making. Nevertheless, according to the above authors, the opinions and interests of civil society should be taken into account in the pursuing policy, and its results should be transparent. That is, the authors do not reject the necessity for the state to adhere to the public

when exercising its power, but they exclude the need for public power, often identifying it with the state power, thereby distorting the content of both categories (RISSLAND, ASHLEY & LOUI, 2003).

Obviously, at the present moment there is no generally accepted definition of public administration, and, moreover, existing interpretations are contrary to the content of concepts used in this term, and, hence, to the concept itself. According to the authors, public administration is primarily a dualistic system, in other words, the system implying a kind of set of restrictions in the form of external control on decisions taken by a centralized entity. In the case of public administration, society is an external controlling element, and better to say – a regulator, that is a subject or a system that can have a direct and immediate impact on the ongoing processes.

Before we present the main tools of the digital era and what opportunities they provide for the implementation of public administration on the basis of the models below, it should be noted how the solutions of recent years have contributed to the foundation of new management, as well as what problems have emerged in the course of these transformations. We start the analysis from February of 2012 – the date of creation by the Russian President D.A. Medvedev of the working group on formation of the system of Open Government, a conceptually new mechanism for Russia. At the same time, the Open government positions itself not as an authority or a democratic structure, but as a set of principles of organization of public administration based on the involvement of citizens, public

organizations and business associations in the adoption and implementation of decisions of authorities. The goal of the Open government is to improve the quality of adopted decisions, achieve the balance of interests (BENCH-CAPON, 2012).

Implementing the ideology of openness at the federal level, the Government of the Russian Federation in January 2014 approved the Concept of Openness of Federal Executive Bodies (FEB), which became the basis of the Standard of Openness of FEB. It is important to note that the concept of the Open government (OG) is not know-how for international practice. In fact, OG of the RF is the Russian analogue of the OPG (open government partnership) founded in September 2011. The OPG is an international organization, the goal of which is to implement the concept of an open state, which implies: the development of administrative professionalism opens to civil control. The countries which created this concept are the USA, the UK, Brazil, Norway, Indonesia, Mexico, the Philippines, South Africa.

In general, it is worth noting that in the Russian Federation the first steps on digitalization were taken in 2002 through the implementation of the Federal Target Program Electronic Russia (2002-2010), and then in 2008 by promoting broadband Internet to the regions. In the same year by the Government Resolution of the Russian Federation dated 06.05.2008 № 632-R the Concept of Formation of Electronic Government in the Russian Federation until 2010 (hereinafter – the Concept) was approved. According to the Concept, the term e-government refers to a new form of organization of public

authorities, providing through the widespread use of information and communication technologies a qualitatively new level of efficiency and convenience for organizations and citizens of public services and information on the results of public authorities.

In the Strategy of the Development of Information Society in the Russian Federation for 2017-2030 approved by the Decree of the President of the Russian Federation of 09.05.2017 No. 203 On the Strategy of the Development of Information Society in the Russian Federation for 2017-2030 (hereinafter – the Strategy) the concept of digital economy is defined as an economic activity, in which the key factor of production is data in digital form, processing of large volumes and the use of the results of the analysis of which in comparison with traditional forms of management can significantly improve the efficiency of various types of production, technologies, equipment, storage, sale, delivery of goods and services.

One of the instruments for the implementation of the above-mentioned Strategy is the national project Digital Economy of the Russian Federation, the program of which was approved by the Regulation of the Government of the Russian Federation dated 28.07.2017 № 1632-R On the Approval of the Program Digital economy of the Russian Federation. Unlike its ideological predecessor, the Open government project, the Digital Economy does not pay the same attention to the concept of public administration. First of all, we are talking about infrastructural reforms aimed at increasing the investment and innovation attractiveness of the Russian economy.

Turning to the issue of responsibility of individual ministers or members of a government as one of the areas of legal policy, we note that, unlike Russia, the responsibility of a minister to a prime minister or parliament is possible in a number of European countries such as Italy, Germany, Poland, and others. The essence of legal policy of responsibility of senior executive officials is the impeachment of a minister by parliament or the requirement to resign because of disagreements on fundamental issues with the head of a government or parliament. Thus, in parliamentary republics and in monarchical states (Great Britain, Spain, Italy, Monaco) ministers are selected by a chief executive and depend entirely on him/her, in his/her turn, a prime minister depends on parliament or the head of a state, and, as a result, the latter often dismisses ministers on political grounds rather than for a wrongful act.

Individual responsibility of ministers – Austria, Denmark, Greece, Latvia & Poland – is additional, subsidiary. Thus, the Austrian Constitution states that the National Council (Parliament) may decide to vote of no confidence in the federal government or in its individual members (Article 74). And the Constitution of Finland stipulates that every minister participating in the case before the Council of State is responsible for the decision taken if he/she has not made a declaration of his/her disagreement, which is recorded in the protocol (§ 60 of the Constitution).

Ministers in many European countries bear primarily a joint political responsibility, which is expressed in the resignation of the

entire government. This joint responsibility is common for many countries with the Romano-Germanic legal system, including Russia. At the same time, a distinctive feature of the European legislation from the Russian one is that ministers in European countries along with parliamentary responsibility, which is enshrined in the constitutional legislation, bear criminal and civil responsibility, which is also enshrined in the constitutional legal acts of many European countries (Spain, France, Italy, Poland, Hungary, the Netherlands, etc.).

Criminal liability involves a criminal offense during the performance of official duties, as in Spain. The third book of the Criminal Code of France is devoted to property crimes. Civil liability is applied in accordance with the relevant legislation of a state and is related to the application of measures of liability arising on the basis of a civil offense (the Netherlands). According to the author, the institution of responsibility in crimes and administrative offenses should be reflected in the Russian legislation in relation to senior officials of the executive power. The enforcement of such responsibility is also possible with the initiative of the parliament of the country.

4. CONCLUSIONS

Today information and technological progress open up extremely ambitious opportunities for the transformation of socio-economic processes, both at the business and state level. However, the

existing conceptual and organizational contradictions related both directly to the theoretical representation and directly to the implementation in practice of certain tools and mechanisms of the digital economy, indicate the relative immaturity of these ideas at this stage of development of society. Nevertheless, the theoretical and methodological foundation has already been formed.

Further implementation of the concept of digital society depends entirely on the actions of state and business representatives, as a kind of consortium and, most importantly, on the public will and the desire of citizens to build, offer or improve models of interaction and governance in society. In the short term, it is difficult to talk about the possible implementation of certain principles of public administration in full, but the planned infrastructural reforms, which form the basis for their implementation, will accelerate this complex process due to objective needs. For Russia, such innovations play a strategic role as one of the elements of economic diversification.

In the digital era, the issue of government responsibility requires detailed scientific study and serious research. Public authorities should be fully integrated into the digital economy to fully perform their tasks. The conclusions drawn in this article should be the basis for further scientific research in this direction. The work is performed according to the Russian Government Program of Competitive Growth of Kazan Federal University.

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