

Moscow's experience in building a system of management of the metropolis (organizational and legal aspects)

Vladimir Zotov
*Doctor of Economic Sciences,
Professor Head of the Department,
State and Municipal Management
State University of Management
Moscow, Russia
ZotovVB@mail.ru*

Elena Zabelina
*Candidate of Legal Sciences,
Associate Professor of the
Department of State and Municipal
Management¹, Associate Professor of
Department of Constitutional and
Municipal law², expert of the all-
Russian Council of local self-
government
¹ Institute of public administration
and law, State University of
Management, ² Moscow state
juridical University. O. E. kutafina
Moscow, Russia*

Alexander Yakovlev
*Deputy head of the Department,
Doctor of Political Sciences
State University of Management
Moscow, Russia*

Vagif Aliyev
*Professor of the Department, Doctor
of Law, Professor
State University of Management
Moscow, Russia*

Alexander Rudnev
*Professor of the Department, Doctor
of Economic Sciences, Professor
State University of Management
Moscow, Russia*

Olga Gracheva
*Candidate of Economic Sciences,
First Deputy Head of the Department
of Labor and Social Protection of the
Population of Moscow, State
Secretary
Department of Labor and Social
Protection of the Population of
Moscow
Moscow, Russia*

Abstract—This work is devoted to the study of the management system of the largest city of the Russian Federation and the Commonwealth of Independent States - Moscow. This settlement has a special legal status and plays the most important economic and political importance in the post-Soviet space. Moscow combines the status (properties) of the capital, the city of federal importance, the largest settlement in Russia. All this necessitates the construction of a multi-level management system.

The most difficult was to organize local self-government in Moscow, which since 1993 has received constitutional consolidation.

Local self-government in Russia is based on the provisions of the Constitution of the Russian Federation and the Federal Law of October 6, 2003 No. 131-Fz "On the General Principles of Local Government Organization in the Russian Federation" and is implemented throughout the territory Russian Federation, including in cities of federal importance.

In Moscow, local government is carried out by local governments in inner-city areas in accordance with the Moscow city's charter. The list of local issues, sources of income of local budgets of inner-city municipalities of Moscow are determined by the laws of the city of Moscow, based on the need to preserve the unity of the urban economy.

Taking into account the requirements for the organization of local government in cities of federal importance, in accordance with the Moscow City Charter, the Moscow City Act of November 6, 2002 was passed No. 56 "On the organization of local self-government in the city of Moscow," which is a basic piece of legislation in regulating public relations in the sphere of local government in the capital.

It is the legal structures of the Moscow City Law No. 56, as well as a number of other legislative and other legal acts operating in the capital, testify to the peculiarities of the development of modern Moscow and allow to reveal the uniqueness of the city of Moscow. Moscow model of local government.

The legislation of the city of Moscow is quite active in using the terminology of the science of Russian municipal law, but the content of some legal categories is ambiguously interpreted in regional acts, which requires clarification of their understanding on the basis of the proposed analysis of the current federal legislation and the laws of the city of Moscow governing local government issues.

Today, Moscow is quite successful in coexisting and operating within its own competences of the state authorities (Moscow City Duma, The Government of Moscow, prefectures of administrative districts, district governments, control and counting chamber Moscow,

Moscow City Electoral Commission, etc.) local governments.

Keywords—Moscow management, local government in Moscow, megapolis management, federal city management

I. INTRODUCTION

In today's world, the growing trend towards the growth of the number and number of cities is quite clear. Residents of rural areas and small towns move to regional centers and capitals of their states. A separate migration destination is moving abroad to well-known cities around the world leading countries. The economy is increasingly concentrated in the big cities. The steady growth in numbers in such cities has led to the need to constantly address an increasing number of problems and complicate the management system.

By some estimates, to . there will be more than 10 mega-cities with a population of 50 million. up to 100 million and 5 supergiants with a population of more than 100 million. Man.2050 r

In the post-Soviet space, Moscow is the largest city, attracting new citizens and increasing numerically every year. This city is unique not only in the population of more than 12.5 million. but also by combining a number of formal and informal statutes, the main ones being the capital of the Russian Federation and the city of federal importance. Moreover, Moscow is the economic and political center of the Commonwealth of Independent States.

These factors have had an impact on Moscow's governance system, which has been repeatedly restructured until it has adopted its current form.

Moscow's governance system is often the subject of criticism from academia and the public, but despite the immensity of any system, it has many strengths to explore in this Work.

The purpose of this study is to analyze the theoretical and practical aspects of building a system of governance of Moscow. To achieve this, the experience of Russia's largest settlement in the construction and restructuring of the city's management system, consisting of subsystems of state and municipal government, is being studied.

II. MATERIALS AND METHODS

One of the first questions to be answered by the authors of this study is the need to formulate the concept of "megapolis".

There is no regulatory and regulatory consolidation in this term. There is also no unity of opinion in academia about what is worth attributed to it. Without entering into a deep scientific discussion, we note that the disputes between scientists mostly lie around two issues: the minimum threshold of population and the admissibility of inclusion in the territory of the metropolis of metropolitan areas around the settlement. The authors of the article will then proceed from the following content of the concept of "megapolis" - a city

with a multi-million population with a high level of socio-economic development.

It is important to note that the terms "megapolis" and "million-dollar city" should not be equated. The latter in Russia 15 (Moscow, St. Petersburg, Novosibirsk, Yekaterinburg, Nizhny Novgorod, Kazan, Chelyabinsk, Omsk, Samara, Krasnoyarsk, Ufa, Volgograd, Rostov-on-Don, Perm, Voronezh), megacities only 2 (Moscow and St. Petersburg). It is also necessary to mention the impossibility at the moment of being of megacities of all cities of federal importance, as in addition to the two mentioned cities, with. In Russia, there is another city of federal importance, Sevastopol, with a population of about 450,000. that is clearly not enough to categorize it as a metropolis.

Since, according to the authors, Moscow has the most complex and effective system of management of the metropolis, the real work will be devoted to this city.

The subject of the article is also the public relations in the sphere of municipal government in the city of Moscow, and, above all, the analysis of its legal regulation, the identification of the essential characteristics of local government in the city on the basis of the ratio of the definitions and concepts in the legislation of the Russian Federation and the City of Moscow.

The methodological basis of the study was compiled by general scientific methods, among which it should be singled out: analysis, synthesis, induction, deduction, comparison, generalization. Methods such as modelling and forecasting were used in the process of drawing conclusions.

III. DISCUSSION

The theoretical basis of this work was the fundamental provisions contained in the scientific works of leading Russian economists and lawyers.

Issues of management in the cities, in particular, were the subject of study by A.Y. Alekseev, I.V. Babichev, R.V. Babuna, V.B. Sotov, O.V. Volokh, E.P. zabelina, V.I. Vasilyeva, A.A. Deleeva, V.V. Komarova, I.V. Milkina, A.V. Petrina, S.P. Shpilko [1-8].

The growth of the largest cities in Russia and abroad, the experience gained in management is of considerable interest. Especially if in general it is positive, as in Russia.

Moscow is the capital of the Russian Federation. It is usually the seat of the federal authorities of the Russian Federation (there are exceptions, for example, in cases with the Constitutional Court of the Russian Federation).

Due to the fact that Moscow is a city of federal importance, it coexists two systems of government - the state administration of the subject of the federation and municipal government. Also in the city of Moscow, the powers of the Russian Federation are

exercised by the federal state authorities, among other them by their territorial bodies. In this regard, in order to understand how the system of governance of Moscow, it is necessary to investigate both the system of government and municipal administration of the city.

In each of the cities of federal importance available in Russia today - in St. Petersburg, Sevastopol and Moscow adopted the laws of the subjects of the Russian Federation. In this regard, it is easy to notice that the Moscow legislator in order to ensure the realization of the constitutional right of the citizens of the country to local government, it is important to take into account the imperatives of constitutional provisions and the need to preserve unity the territory of the city, the effective interaction of state and local government in the implementation of a unified inner-city policy in different areas of public relations.

Today, the balance of interests of the city authorities of Moscow and local governments of the inner-city territories is expressed in the regulatory framework in the field of local government, which has been formed since the adoption of the Moscow City Law on local government organization in Moscow" in 2002.

According to the legal position of the Constitutional Court of the Russian Federation, which is of general importance, compliance with the requirements of the laws of the subject of the Russian Federation is a prerequisite for the creation of a single legal regime in it and cannot be considered as violation of equality of rights and freedoms of citizens. This legal position extends to the municipal level of legal relations [9].

Local self-government in the city of Moscow is carried out by local governments in municipal districts, coinciding with the territories of the Moscow city areas inside Moscow and beyond in Solntsevo, Novo-Peredelkino, the city of Greenograd, as well as the city of Zelenonograd, as well as urban and rural settlements in "annexed territories." In total, there are 146 inner-city municipalities (125 - municipal districts, 2 urban districts - the cities of Troitsk and Scherbinka and 19 urban and rural settlements).

The changes in the territorial organization of the city of Moscow in 2012 contributed in many ways to the adjustment of the "ideology" of local government in the city of Moscow, recognizing the peculiarities of legal regulation by the city's legislatures. Moscow in relation to municipal districts and taking into account the federal component of the implementation of legal regulation in the "Moscow-affiliated territories." On the one hand, within the boundaries of "old Moscow" there is legislation of the city of Moscow with features established by Article 79 of The Federal Law No. 131-Fz, on the other - in the science city of Troitsk, the city of Scherbinka and other settlements located on the "Federal Law No. 131-FH is implemented in the scope of legal regulation for urban districts, rural and urban settlements.

In accordance with Article 7 of Federal Law No. 131-Fz, the authorities of the state authorities of the subjects of the Russian Federation pass laws on the order of granting local governments separate state powers. Practice shows that the state authorities of the subjects of the Russian Federation independently determine what powers and for how long it can be delegated to local governments. There is no need for local government consent. In this regard, arise in the law enforcement situation, when in some subjects of the Russian Federation local governments can exercise more than 100 powers of state authorities. The city of Moscow is not an exception. Thus, in Moscow, local governments of various municipalities exercise devolved state powers of the city of Moscow on the basis of a number of Laws of the City of Moscow: from July 11, 2012 No. 39 "On the endowment of local authorities the self-governing municipal districts in The City of Moscow have separate powers from the city of Moscow." December 16, 2015 No. 72 "On the empowerment of local governments of inner-city municipalities in the city of Moscow with separate powers of the city of Moscow in the area of organizing and carrying out an overhaul of common property in the apartment buildings as part of the implementation of the regional program of overhauling common property in apartment buildings in the city of Moscow"; December 26, 2007 No. 51 "On the empowerment of local governments of inner-city municipalities in the city of Moscow with separate powers of the city of Moscow in the sphere of guardianship, guardianship and patronage." Moreover, some powers are transferred to the councils of deputies of municipal districts in the city of Moscow, others - executive-management bodies.

The model of local government is unique in such a way of setting and resolving the issue, when municipal deputies take the direct implementation of the city's state powers. There is no such practice in other Russian regions.

The third level of legal regulation of local government is represented by the system of municipal laws, which are: the statute of municipal education, decisions and regulations of the representative body of municipal education, decrees and orders of the head of municipal education, acts of local administration - executive-administrative body, regulations of other, provided for by the statute of municipal education, local government and their officials.

The Charter of Municipal Education is a kind of "constitution" of local importance, a document whose analysis allows to characterize municipal education of various kinds, to reveal its status, name, structure of local bodies self-government, their powers, term of office, types of responsibility in municipal law and others. Statutes of municipal entities are adopted by representative bodies of municipal entities and are subject to mandatory state registration.

In accordance with Federal Law No. 131-FH, amendments to the statute of municipal education are recorded in a similar way to other regulations. Today

there is a practice when some municipal entities are in no hurry to bring them in line with the current law of the city of Moscow. Thus, according to the Moscow City Government Organization Act, local self-government in the city is carried out not only in urban and rural settlements, urban districts, but also in municipal districts. However, for example, the charter of the in-town municipal education Presnensky in Moscow uses the concept of "inner-city municipal education in the city of Moscow," without specifying the status of municipal education, which was changed back in 2012 Year.

IV. RESULTS

The formation of the modern system of executive power in The City of Moscow began in 1991, which continues to this day. It all started with the election in Moscow for the first time in the RSFSR mayor and the formation of the first government of the city. Since 1991, the city's executive system has undergone changes related to the current urban challenges, as well as the adoption of new federal laws.

In the final stages of the Soviet Union, Moscow was governed by the interaction of Soviet and party bodies. In the late 1980s, the highest authority in Moscow was the Moscow City Council of Workers' Deputies (Moscow Council). Direct management of the city economy was carried out by the Executive Committee of the Moscow Council (also the Moscow Executive Committee), which was headed by the Chairman and Vice-Presidents. They also formed the Presidency of the Executive Committee of the Moscow Council to quickly resolve some issues [10].

Until 1991, Moscow was divided into 33 districts, including the city of Zelenograd. At the same time, the district was subject to almost the same responsibilities and rights for the integrated socio-economic development of the territory as the city as a whole. At the district level, the vast majority of the life support functions of the population in the community were concentrated. Both the city and its districts were multi-industry and polyfunctional administrative and territorial formations.

The territorial division of the city of that period caused a number of problems. First, the number of districts as urban control facilities was high, making it difficult for the city government to operate. Secondly, in large areas, the congestion of economic management has made it difficult for the population to reach the authorities.

The need to solve these problems required changes in the administrative-territorial division and the system of government of the city. As a result of the reform of the management system in Moscow has established 10 administrative districts, each of which has established 17 to 5 districts. The creation of the districts has brought the administration closer to the population.

By the early 2000s, Moscow had formed a three-tier system of state authorities, according to which:

1) The legislative (representative) body of state power in Moscow is the Moscow City Duma;

2) The highest official of the city of Moscow is the Mayor of Moscow, he also heads the government of the capital;

3) The highest executive body of state power is the Government of Moscow;

4) The executive bodies of the Moscow city government are the Government of Moscow, industry, functional and territorial executive authorities;

5) bodies with special status - The Control and Accounts Chamber of Moscow and the Moscow City Electoral Commission.

A great value and a significant part of the load to fall on the territorial executive authorities represented by the prefecture of administrative districts (acting in administrative districts) and district governments. Is the prefect of the administrative district concerned.

An important transformational change from the Soviet era was the elimination of the double subordination of the territorial units of allied and allied-republican ministries and departments (higher and central governments). Only the higher authority of his office, but also the leadership of the regional authorities. Today, as a result of building a management vertical in Moscow, there are territorial units of most federal executive authorities, which do not obey the city authorities, but only organize cooperation within the framework competence.

July 1. Moscow's territory was significantly expanded by annexing part of the territory of the Moscow region. In the "new territories" there are some features of the control system. Thus, 2012 the Trinity Administrative District and Novoskovskiy have no administrative division into districts. one prefecture.

The largest area (42.92% of the total area) is the Trinity Administrative Region, at the same time it has the lowest population density (95 people/km²). The smallest area (1.47% of the total area) is the Green City Administrative District, with only 5 districts located on its territory. The largest number of districts (17) in the North-East Administrative District, it has the highest population density (13,726 people/ km²). Each of the remaining districts has 8 to 16 districts. The population in the districts is from 20,000. up to 170,000 that corresponds to the population of the average city of Russia.

In addition to the state administration in Moscow, as in any other territory of Russia, there must be local self-government, which is a form of people exercising their power. through local government issues of local importance based on the interests of the population, taking into account historical and other local traditions.

In matters of the organization of the federal city's governance system, it is essential to find a balance of power between the local authorities, which carry out the state and municipal administration, which in Moscow is particularly difficult [11].

Local self-government is carried out in the territories of inner-city municipalities in the city of Moscow through local referendums, elections, assemblies and conferences, manifestations of civic initiative, through local authorities self-government and other forms of local government created as socio-economic, financial and institutional assumptions are formed.

Local self-government in the capital is based on principles that can be divided into two groups - singling out, along with generally accepted principles of local government, principles that reflect the specifics of Moscow's municipal development.

The Moscow legislator attributes the following principles to the generally accepted principles of local government: respect for the rights and freedoms of the individual and the citizen; the legality of local government organization, the organizational isolation of local government in the system of government, taking into account historical and other traditions; proportionality of local government powers to the material and financial resources of municipal education; Publicity of local government and public opinion; responsibility of local governments and local government officials.

The second group of principles is the principles inherent exclusively in the Moscow model of local government. In this case, we are talking about the principles: the realization of the interests of the residents of the municipal education, taking into account the interests of other residents of the city of Moscow; Maintaining the unity of the urban economy; maintaining the unity of the city's budget system; taking into account the historical traditions, economic, geographical and demographic characteristics of the city; assisting the public authorities in the city of Moscow to exercise the right to local self-government; Coordinating the activities of local governments and public authorities in Moscow; control by the state authorities of the Russian Federation and the state authorities of the city of Moscow over the implementation of certain state powers, which local governments are endowed with the relevant federal the laws and laws of the city of Moscow; interaction with the territorial public self-government, housing self-government, and public organizations.

The structure of local governments in the capital consists of: a representative body - the Council of Deputies and the executive-governing body of municipal education - the administration or apparatus of the council of deputies of municipal education (municipal district, urban district, urban or rural settlement). There is also the head of municipal education - the highest official of local government. These bodies are mandatory and are not part of the system of state authorities in Moscow.

Local governments have their own powers to deal with local issues. Thus, a number of issues relate to the exclusive competence of the councils of deputies of municipal districts in the city of Moscow. Among them are: the adoption of the charter of municipal education

and the amendments and additions to it; Approval of local budgets, development plans and programmes, reports on their implementation; Determining how municipal property is managed and disposed of; implementation of the right of legislative initiative in the Moscow City Duma; decision to hold a local referendum and the participation of municipal education in inter-municipal cooperation organizations; coordination of proposals submitted by the Moscow city council to the prefecture of the moscow city administrative district on the scheme of placing non-stationary facilities of the small retail network.

A representative body of inner-city entities in the city of Moscow may have the rights of a legal entity in accordance with the statute of municipal education. At the same time, it should be noted that Moscow is the only city in Russia where representative bodies of municipal districts do not have the rights of a legal entity. Currently, the functions to ensure their activities are vested in the apparatus of councils of deputies of municipal districts in the city of Moscow and the administration of municipal entities.

V. CONCLUSION

The analysis carried out by the authors led to the following conclusions.

Moscow has accumulated a unique experience over the past three decades that can be used by other megacities.

In Russian regulations there is no consolidation of the concept of "megapolis" that required the introduction of its own definition.

The distribution of powers between the state authorities of Moscow and local governments is such that the main part of the burden on solving the problems facing the metropolis is implemented by state bodies.

They are quite successful in solving the following tasks of managing the city:

1. Providing the necessary and sufficient conditions for residents to live comfortably in homes and apartments, providing them with housing and service services.
2. Constant provision of food, consumer goods, medicines, etc.
3. Providing residents with information, social services and for certain categories (children, adolescents, older people, people with disabilities, etc.) social security services.
4. Sustainable transport and the creation of conditions for the development and use of different types of transport.
5. Building a comfortable urban environment through landscaping, landscaping, environmental safety, law and order and crime control.
6. Enshrining and maintaining the institution of basic constitutional rights and freedoms of citizens,

creating a comfortable environment for residents to apply to the authorities.

The system of state authorities in Moscow is formed: the Moscow City Duma, the Government of Moscow, the prefectures of administrative districts, district governments, the Control and Accounts Chamber of Moscow, the Moscow City Electoral Commission. A number of powers are concentrated in the public office of Moscow (Mayor of Moscow, Commissioner for the Protection of Entrepreneurs' Rights in Moscow, etc.).

In order to ensure the preservation of the unity of the urban economy in the city of Moscow, along with the federal and city authorities, local government operates. Its development features are established by the laws of the Russian Federation, the laws of the city of Moscow and municipal legal acts.

Local self-government is carried out in the territories of inner-city municipalities in the city of Moscow through local referendums, elections, assemblies and conferences, manifestations of civic initiative, through local authorities self-government and other forms of local government created as socio-economic, financial and institutional assumptions are formed.

REFERENCES

- [1] V. Babichev, *Municipal Law: System-Structural Analysis of Legal Designs*.
- [2] *Municipal government system: Textbook*. A team of authors. Rostov-on-Don: Phoenix, 2010.
- [3] O. V. Volokh, "Development of public amateur bodies in the large metropolises of Western Siberia in the first half of the 2000s", in *Herald of the University of Omsk. Series: Historical Sciences*, 2018, No 1, pp. 143-148.
- [4] E. P. *Coordinating function of local governments of the Russian Federation*. Omsk, 2005.
- [5] A. A. Deleev, "Forms of Direct Democracy as a means of realizing the powers of the population to control the activities of local governments", in *Constitutional and municipal law*, 2011, No 12, pp. 66-70.
- [6] V. V. Komarova, *Forms of Direct Democracy in Russia*. Moscow, 2010.
- [7] R. J. Sirazdinov, "Directions to improve the efficiency of municipal government", in *Municipal Academy*, 2016, No 4, pp. 110-114.
- [8] O. A. Petrina, and I. V. Milkina, "Development of territories with special legal and economic status in Russia", in *Municipal Academy*, 2017, No 4, pp. 38-45.
- [9] The role of tourism in the socio-economic development of megacities is a Shpilko S. P. 2018, No 1, pp. 32-42.
- [10] A. A. Jagaryan, "Municipal-legal (communitarian) responsibilities of personality: problems of institutionalization", in *Constitutional and municipal law*, 2011, No 6, pp. 61-63.
- [11] "What is the difference between public administration and municipal government?", in *Information and education portal "State and Municipal Administration"*. Available at: <http://gimyrf.ru/handbook/25/>.