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**APPLICATION FEATURES OF POLITICAL TECHNOLOGIES IN THE
LEGISLATIVE PROCESS**

Specialty: 5.5.2 – Political institutions, processes, technologies
(Political Science)

ABSTRACT

of the dissertation for the degree of Candidate of Political sciences

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The relevance of the dissertation topic is due to insufficient research on the tools utilized by political actors in order to influence the decision-making in the legislative process.

The lawmaking power (as opposed to the representative function) is generally placed outside the focus of political science, while legal science is focusing closely on it. At the same time, a view at the law and the legislative process from the perspective of political science opens up opportunities to examine it in terms of the competition of political actors. The legal framework can be an indicator of the changing attitudes of political elites and society, and the law has the potential to both consolidate society around the pursuit of significant goals and to divide it.

Legal science is more concerned with the normative side of the law, as well as with the issues of law enforcement. Accordingly, Accordingly, the issues related to the struggle between political actors over the final political decision, compromises between them, tools to achieve the aims within legislative process are beyond the attention of legal scholars. On the other hand, political science, if it studies the legislative process, it does so through the prism of electoral struggle, the level of democracy of the political regime, and party system. While recognizing the importance of these issues, it is necessary to point out the insufficient examination of them in order to understand the decision-making in the legislative process.

Law as an adopted political decision and its impact on social relations is studied by the political science of law. One of the consequences of their insufficient research in Russian science is the fact that most legislative initiatives are proposals of a technical nature, and the executive branch plays an increasingly significant role within the legislative process. This creates an imbalance in the separation of powers, which negatively affects the credibility of the legislative authorities and the democratic nature of the legislative process.

The study of political technologies in the Russian legislative process, inter alia, allows us to identify the mechanisms that parliament can employ in order to increase its credibility within the existing system. Analyzing the features of the

arguments used by parliamentarians in plenary discussions helps us to better understand the reasons and grounds for making certain political decisions.

In many cases, the law adopted by the parliament is the final version of a political decision, its quintessence, and the legislative process is an essential part of the political process. At the same time, the procedures followed by political actors in the legislative process are quite complex and it is possible to block or, on the contrary, accelerate the adoption of a decision at many points in its course. The speed, characteristics and outcome of the legislative process depend on the political will and the tools that may be called political technologies in the framework of the legislative process.

Moreover, the application of political technologies in the legislative process as legal tools to influence it has a direct connection with its legitimacy. The legislative process was previously not actually viewed from the perspective of competition and clash of interests of political actors who use specific technologies, including manipulation of procedures.

The aim of the study is to identify the application features of political technologies in the legislative process at the federal level.

To achieve the aim, the following **objectives** need to be performed:

1. To address the theoretical framework of the study of law and the legislative process as political phenomena.
2. To operationalize the concepts of “political technology” and “political technology in the legislative process” within the context of its impact on the political decision-making.
3. To identify the types of political technologies practiced by actors of the legislative process.
4. To reveal the possibilities of employing political technologies in the legislative process by different political actors.
5. To study similarities and differences, application features of technologies by different political actors in the legislative process.

6. To develop a discourse analysis method for the investigation of parliamentary factions' argumentation in the legislative process.

7. To outline the topics, methods, strategies and features of parliamentary factions' argumentation in the legislative process.

The object of the study is political technology in the legislative process.

The subject of the study - application practices of political technologies in the legislative process of the Russian Federation at the federal level.

The hypothesis of the study is that political actors apply political technologies that are related to accelerating, slowing down and/or blocking the passing of bills within the legislative process. The speed of bill passage and the parameters of the adopted decisions are also significantly influenced by the credibility of political actors. At the same time, the potential of the political technologies available to the parliament, which can influence decision-making, is not fully utilized.

The theoretical and methodological framework of the study is neoinstitutionalism based on rational choice theory. In this paper, a particular importance is given to the understanding of institutions as “rules of the game”. This approach allows to review the procedural features of legislative decision-making, as well as to identify technologies and positions of political actors within the legislative process, bearing in mind their desire to pursue their own political interests.

The methodology of constructivist institutionalism was also utilized to identify the motives of political actors in making various decisions, as well as their argumentation strategies.

The object of influence of political technologies in the legislative process, among others, is the parliamentary agenda, thus the theory of agenda setting is of particular importance for the study. The agenda is considered as a status quo, which a political actor seeks to break if he wants to alter a political decision. This study also focuses on institutional mechanisms of agenda setting as political technologies.

We used the concept of veto of players by G. Tsebelis as a part of the theoretical and methodological framework in order to reveal the possibilities of

blocking the adoption of certain decisions. Applying this theory, we review the possibilities of influence of political actors not only over the legislative process, but also over its result (even if the law was not passed).

The designated theoretical and methodological framework, aim and objectives have determined the choice of a number of methods applicable to this study.

The legal formalism techniques was utilized for the initial review of texts and other materials on draft laws, bills and other legislation. Then legal texts were analyzed with the help of political science methods.

The case-study method was utilized to review specific technologies and examples of their application. Each of the political technologies was illustrated by specific cases explaining the way they are practiced by political actors. The cases were selected that, firstly, were the most representative and convincing illustrations of the application of a certain technology. Secondly, the cases considered are valuable because of their replicability: we analyzed the technologies that have been repeatedly used and are typical for the parliament.

To review the strategies of argumentation during the legislative process, including the plenary sessions of the State Duma, discourse analysis was utilized, combining the methodology of M. Scriven's argument analysis, critical discourse analysis elements, theoretical developments of E. Laclau and C. Mouffe. As a result, the main topics addressed by parliamentarians and representatives of executive power bodies during the discussion of draft laws, unspecified arguments and conclusions were identified, discursive strategies were operationalized using the classification of R. Wodak and M. Meyer. This led to fixing the division lines in the legislative process, as well as the argumentation and positioning features of different factions.

Document analysis is also utilized in the study, as the content of legislative initiatives as well as the legislative process procedures are thoroughly documented.

The dissertation research widely utilized general scientific methods such as comparison, analysis, synthesis, induction, deduction.

As a result of the study, the following findings which contain **scientific novelty** were obtained:

1. The substantive differences between political and legal technologies are established. If we analyze the legislative process solely as a sequence of legal procedures which must be correct, accurate and consistent, then its political nature is left out of the research attention. It involves reaching a compromise decision following the results of the legislative process routines, which becomes possible, *inter alia*, due to political technologies. The latter include manipulation of legislative procedures, which helps political actors to achieve their goals by using the features of the existing “rules of the game”. Thus, according to the theory of veto-players, it is possible to block decisions through procedures. Therefore, legal procedures acquire political significance, turning into instruments of political influence. In addition, the argumentation of actors in the public realm can also alter the outcome of the legislative process.

2. Political technologies in the legislative process are defined as a set of tools by which political actors manipulate procedures and arguments that influence the course and outcome of the legislative process. Such technologies are an integral part of political technologies in a broad sense, along with electoral technologies, tools of lobbying and building a politician's image, etc. The key features of political technologies in the legislative process are the possibility of their replication in a different political situation and the strict legal framework within which such technologies operate. Technologies are not only tools in the hands of political actors, but also become a means of making a final compromise decision, which is a guarantee of political and social stability. However, at the same time, the actors' opportunities to influence the outcome of the legislative process are different.

3. Political technologies in the legislative process are typologized on the basis of the purpose of their application. They are aimed at accelerating, slowing down and blocking the decision-making in the legislative process. All three types are associated with the use of its procedures, i.e. those “rules of the game”, which, on the one hand, are modified by means of technologies, and on the other hand, they

can be operated only within the existing legal framework. For example, in order to speed up the decision-making process, a bill can be discussed in the first reading and in total (i.e., actually in two readings). The adoption of amendments can play both in favor of slowing down and speeding up the legislative process, and one of the potentially most effective veto players is the Federation Council. It can demonstrate its subjectivity by slowing down or even blocking the passage of bills.

4. It has been clarified that the parliamentary majority applies political technologies mostly to maintain the status quo, while the minority - to change it. The majority is concerned with passing laws in order to stabilize and preserve the current political system: an example is the amendments made to the election legislation and the rejection of the corresponding initiatives by the opposition. For the latter, it is crucial to demonstrate an alternative and political struggle. As an example, consider the Italian strike, which was organized in the form of submitting a large number of amendments for separate consideration. This was the case when the law on tightening the rules for authorized rallies and assemblies was being discussed. At the same time, the parliamentary opposition performs the role of representing the adversarial nature of the legislative process, which contributes to greater legitimacy of the decisions made.

5. It has been revealed that the President rarely blocks adopted decisions, preferring rhetorical interventions when dealing with really significant decisions, thereby performing the role of an arbitrator within the political system. Minimizing intervention in the legislative process makes the legislative activity of the head of state more significant in the eyes of other political actors. At the same time, the President acts indirectly through the State Legal Department - its representative on legal issues, and its role in the adoption of legislative decisions is of the highest importance. The government however, more often tends to reach a compromise with representatives of all factions before a bill is even considered at a plenary session or even before the bill is introduced into parliament. Deputies of the State Duma of the Federal Assembly of the Russian Federation and senators of the Russian Federation

actively use manipulation of parliamentary procedures to influence the legislative process.

6. The methodology of discourse analysis is adapted for the research of topics, methods, argumentation features of parliamentary factions and their goal-setting. Its algorithm includes a number of steps, including the examination of unidentified arguments and conclusions, and the clarification of elements of argumentation strategies of different factions. This methodology is the synthesis of a number of classical scientific developments in the field of discourse analysis (critical discourse analysis by R. Wodak and M. Meyer). Wodak and M. Meyer, argument analysis by M. Scriven, theoretical developments by E. Laclau and S. Mouffe), which have not been utilized by Russian science in the present combination. Overall, the arguments used in the public domain, during plenary debates and other discussions can be referred to as an important part of the set of technologies aimed at defending one's own interests within the legislative process.

7. Discourse analysis of rhetoric and arguments has demonstrated that the majority faction largely appeals to the values of security and comfort, while the parliamentary opposition appeals to justice. Balancing the federal budget is also one of the majority's priorities. In terms of methods of argumentation, the parliamentary majority is more likely to use rational arguments, while occasionally employing manipulation, such as deliberately avoiding discussion of the concept of the bill to less controversial nuances. In addition, the majority faction demonstrates a "tactic of limited concessions" to the opposition, but successfully defends its position on principal issues. The parliamentary opposition, on the contrary, more often appeals not so much to rational, but rather to emotional arguments, using expressive vocabulary as well as visual and expressive means (intensification and nomination strategies according to the classification of R. Wodak and M. Meyer). The opposition discourse is clearly critical, but also fragmented due to the fact that it is represented by more than one political actor. The minority still sees opportunities for minimal influence on the final decision-making outcomes within the legislative process. When it comes to the goal-setting of political actors, an important part for

the parliamentary majority is not even voting, but minimizing criticism and negative public effects from the adoption of controversial and resonant legislative decisions. In this regard, the key task for the opposition is to demonstrate an alternative, to prove that other decisions could potentially be made.

The provisions of the dissertation submitted for the defense:

1. During the legislative decision-making the scope and extent of power is redistributed, and political technologies are a tool for this. As part of the legislative process, political actors come to a compromise and formalize the updated “rules of the game” in the form of laws. The tools for achieving this compromise can be political technologies associated with influencing the public discourse around the legislative process and aimed at using the procedures of the legislative process by political actors in their own interests.
2. Political technologies in the legislative process as part of the political technologies generally have a number of distinct characteristics: limitation by strict legal frameworks, replicability, specific subject of influence - the legislative process. At the same time, political technologies in the legislative process, being an instrument of political struggle, eventually contribute to the achievement of a compromise solution, which is expressed in the form of an adopted (or even rejected) law.
3. Three types of political technologies in the legislative process have been highlighted. It can be aimed at accelerating, slowing down and blocking the adoption of political decisions. Technologies of acceleration of the legislative process are utilized if there is a will of a substantial political actor for rapid promotion of the bill, or social-political or economic situation requires quick decisions, and if the parliament has a desire to minimize the number of bills under consideration. Slow-down technologies are applied in cases when it is impossible to quickly harmonize the positions of concerned political actors or the opposition seeks to delay the consideration of legislative initiatives, or due to the specifics of the current political situation. Blocking of decision-making happens if a consensus on an issue is out of reach between the concerned actors,

as well as in the case of a political actor's desire to emphasize its own subjectivity or due to the untimeliness of the initiative.

4. The president, government, deputies and senators actively utilize political technology in the legislative process. However, presidential and government bills are processed more quickly and are more likely to become law. The government often introduces framework laws to maximize the powers of the executive branch. Thus, the existing political regime has significant institutional mechanisms aimed at its own strengthening and consolidation. It is also greatly facilitated by the parliamentary majority, whose efforts are aimed at preserving the status quo. The opposition also tries to influence the parliamentary agenda, including through technologies of slowing down the legislative process, however, it is unable to shape it.
5. A number of application features of political technologies in the legislative process by various actors have been outlined. The President rarely blocks bills, preferring not to interfere directly in the legislative process, and speaks out only in the case when really significant decisions are being considered, which may provoke a sharp reaction in society. The government tends to utilize political technologies in order to maximize the solution of emerging contradictions outside the parliament, and only to make a compromise or even consensus decision in the chamber itself. Procedures are often utilized as technologies to bypass some stages of the legislative process in the broad sense (for example, it is possible to avoid the regulatory impact assessment or to adopt a draft law in the first reading and overall), to delay consideration of bills for a long time, or to make last-minute adjustments to a decision that has already been actually agreed upon. At the same time, the potential of deputies and senators as veto players is not fully utilized today, which is due to the lack of will of political actors.
6. To study the technologies related to the argumentation of political actors, it is necessary to consider the themes and features of rhetoric used by them, which discourse analysis allows us to do. Within the framework of this study, discourse

analysis consists of several steps: identification of key units of analysis - "topics"; identification of unidentified arguments and conclusions; analysis of the discussion in the format "question - answer"; consideration of the context of the discussion of the initiative; determination of the place of different strategies in the argumentation of parliamentarians (according to the classification of R. Wodak and M. Meyer). The key feature of the methodology is the combination of various approaches existing within the framework of discourse analysis: critical discourse analysis, analysis of arguments by M. Scriven, theoretical developments by E. Laclau and S. Mouffe.

7. In discussions on social and economic issues, the majority faction builds its arguments around the need to balance the federal budget, stability, comfort and security of citizens. It often seeks to move away from the concept of the bill in favor of less controversial nuances of the initiative, especially when it comes to resonant laws. The majority utilized rather rational arguments. The aim here is not to support bills directly, but rather to minimize criticism and negative political consequences, especially when resonant laws are being debated. The parliamentary opposition uses expressive statements, appropriate vocabulary and expressive means (nomination and intensification strategies according to R. Wodak and M. Meyer). Its representatives ask provocative questions, appeal to violations of regulations by the majority, refer to individual successful cases.

The theoretical importance of the study is to clarify and operationalize the concept of political technologies in the legislative process as a part of political technologies. Based on neo-institutional methodology, the author of the thesis examines how procedures can acquire political significance and change the course and outcome of the legislative process.

To research the methods of argumentation and aims of political actors, the author's methodology of discourse analysis was developed and tested on several legislative initiatives. It can be scaled to study the process of adopting other legislative acts and other political decisions. The demonstrated methodology makes

it possible to find out the features of argumentation and aims of political actors within public discussions.

The practical importance of the study is that the technologies outlined in the paper, examples of their application and other results of the research can be used by parliamentarians and other subjects of the right of legislative initiative, political analysts, business and public organizations, as well as other social groups when they are interested in making certain political decisions.

The materials of the presented research can be used in the educational process for the preparation of common and special courses in political science, in particular, in such disciplines as “Modern Russian politics”, “Fundamentals of parliamentary activity”, “Law in politics”.

The thesis **conforms to the following points of the passport of specialty 5.5.2. “Political institutions, processes, technologies”:**

2. Ontological, morphological and procedural parameters of politics, contemporary trends of its evolution. 2.

8. Political institutions: the formation, development and contemporary transformations.

30. Political technologies and the specifics of their application.

31. Steps, mechanisms and technologies of political decision-making, criteria of their effectiveness.

33. Strategic management, political forecasting and design of political institutions and processes.

Approbation

The key results of the study were tested at the following conferences:

– Annual All-Russian Scientific Conference with International Participation “Trajectories of Political Development of Russia: Institutions, Projects, Actors” / December 6 - 7, 2019, Russian Political Science Association;

– Annual All-Russian Scientific Conference with International Participation “Political Representation and Public Power: Transformational Challenges and Prospects” / November 27 - 28, 2020, Russian Political Science Association;

- VI All-Russian Forum of Young Political Scientists / December 18, 2021, Council of Young Political Scientists of the Russian Political Science Association;
- Annual All-Russian Scientific Conference “Political Challenges and Political Dialogue in the Conditions of Global Turbulence” / December 2 -3, 2022, Russian Political Science Association.

In addition, the research results are presented in articles in journals recommended by VAK, as well as indexed by SCOPUS, RSCI, as well as in a collective monograph (regarding methodology). Key texts:

- Alekseev D.V. Possibilities of using political technologies in the legislative process (on the example of the State Duma of the 7th convocation). *Political science (RU)*. 2023, N 1, P. 185–205. DOI: <http://www.doi.org/10.31249/poln/2023.01.08>
- Alekseev D.V. Political technologies in the legislative process: conceptualization and typologization // *PolitBook*. - 2024. - No. 4 (in press)
- Pomiguyev I.A., Alekseev D.V. Resetting Bills: Discontinuity as a Political Technology for Blocking Policy Decision. – *Polis. Political Studies*. 2021. No. 4. P. 176-191. (In Russ.) <https://doi.org/10.17976/jpps/2021.04.13>
- Community of young political scientists: network analysis: Collective monograph / I.A. Pomiguyev, D.V. Alekseev, P.S. Kopylova [et al.]. - Moscow: Aspect, 2021. - 324.

Volume and structure

The paper contains an introduction, three chapters (consisting of eight paragraphs) and a conclusion on 204 pages. Also, the discourse analysis in full is presented in Appendix #1, and political technologies in the context of convocations are shown in Appendix #2 (presented on 87 pages). The list of references and sources consists of 306 titles. It includes scientific articles and monographs (in Russian and English), normative legal acts and documents, media materials and electronic resources, transcripts and chronicles of plenary sessions of the Parliament.