

ISSN: 0025-1569

MAN IN INDIA

Volume 97

Number 23

2017



Serials Publications Pvt. Ltd.

Publishers & Distributors

Man in India
© Serials Publications

ISSN: 0025-1569

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database, Ei databases index, EMBASE, EMCare, CAP International, Indian
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PARADIGMATIC GUIDELINES FOR INTERPRETING THE INSTITUTIONAL AND FUNCTIONAL CHARACTERISTICS OF PUBLIC POWER: RATIONAL-TECHNOLOGICAL, BIOPOLITICAL AND SOCIOCULTURAL THEORETICAL AND CONCEPTUAL APPROACHES

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Abstract: The object of this study is the political and legal doctrines in their historical evolution, while its subject is the theoretical and conceptual guidelines for an interpretation of the institutional and functional characteristics of state power. Particular attention is paid to the analysis of the essence and specificity of rational technological, biopolitical and socio-cultural paradigmatic aspects in the context of which the interpretation of the role and significance of institutions of public power, their key functions and tasks of political and legal activity is carried out. Through these aspects, the authors show the specifics of the interpretation of the relationship between functions and institutions of public power, the role and importance of state power, depending on the paradigm. Universal, general scientific and special methods are used in the work. Among the universal methods, systemic approach, dialectical-materialistic methodology, as well as anthropological approach are used. The special methods include historical legal and comparative legal. The authors propose a problematic approach to the systematization of political and legal doctrines, concepts and theories within which the institutional and functional properties of public power are analyzed and interpreted, and a description of the role and purpose of state power in society is given.

Keywords: power, state, law, politics, state power, institute, doctrines, functions, evolution, society.

INTRODUCTION

In the history of political and legal doctrines, there is a variety of approaches and concepts that offer different interpretations of the institutional and functional characteristics of state power. In this article, the authors propose their typology of the basic conceptual and political approach, which is based on the classification of

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the basic paradigms of political science and which represent mismatched logical models for the formulation and solution of cognitive tasks.

These paradigmatic attitudes interpret the nature and essence of politics, the sources of formation and development of the political organization of society, the most essential features and properties of political reality, presenting all these ideas about political sphere as a holistic theoretical and conceptual model of thinking developing (reproducing) in relatively similar (in its theoretical and methodological orientation, the style of political thinking, the ways of staging and solving political problems, etc.) political theories and doctrines.

With this in mind, we can provisionally identify five basic (generic) and fourteen specific conceptual political concepts for the interpretation of institutional and functional characteristics. These concepts conceptualize theoretical and methodological notions about the essence of the institutions of state power, their purpose and role, which serve as a theoretical foundation for analyzing institutional, political, structural and functional characteristics of power, the principles of its organization and activity in the society.

In this article, three key theoretical fundamental approaches will be analyzed: rational-technological, biopolitical and sociocultural.

THE MAIN PART

The rational technological political approach interprets the institutional and functional properties of state power in the context of a mechanistic, rationally organized political process.

For the first time, this theoretical and logical model of describing the political process and the interpretation of the essence of the institutions of state power and its purpose in a systematic and formalized form is presented in the writings of N. Machiavelli. As we know, he defended the view of politics as a technological process where the field of institutional actions of power in its political concept “obscures the domain of meaning, the effectiveness and success of the end of the undertaking far outweigh its value-content aspect ... Machiavelli considers political processes in isolation from values and the religious model. From his point of view, everything that contributes to the effectiveness of the political process is good in politics”.

For Machiavelli, the organization of state power is a special “institutional-procedural craft”, “public art”, connected with the technologies of public power and administration. For him, the institutional properties of state power are justified through the ability of the latter to ensure order, the effective solution of the needs and interests of the masses, and the integrity and unity of the state. These institutions of power, of course, were primarily responsible for ensuring a strong and centralized state power. But at the same time this main task, i.e. the formation of strong and centralized power, is not an end in itself for the functioning of institutions of public

authority, since Machiavelli believed that these institutions acted as a technology for achieving certain goals of the political development of society: “After a strong government plays its revolutionary role in the destruction of the feudal nobility, the organization of a single state, political freedoms, civil equality, etc., it is necessary to engage in the organization of a free state. Thus, the thinker wants to use the strong power of the ruler only as a means to achieve the goal - unification of the country and then creation of the republic” (North, 1997).

At present, this conceptual political approach is reproduced in the institutional and technological doctrines of the organization and functioning of state power. In this case, the institutional characteristics of public authorities are analyzed in an instrumental way, expressing the available resources (material, physical, organizational, symbolic and other) and political and legal tools for streamlining and stabilizing social processes, achieving socially significant goals and objectives (Lyubashits V., Mamychev A., Mamycheva D., Vronskaya M., 2016).

At the same time, in political analysis, the most important is the effectiveness and adequacy of the instruments used in public administration, and the optimality of the power resources employed to achieve public, national and state goals. This is a pragmatic direction of the analysis of the functioning of the state institutions of power, within which the latter is identified, first of all, with the control function.

In this way, force, violence, domination and other concepts are connected with public-power relations between the state (government administration) and the society (civil society). The essence of institutions is that they establish the rules of the game, and form a structurally functional model of interaction (North, Wallis & Weingast, 2011). At the same time, the effectiveness and legitimacy of state power institutions are directly related to their real and potential possibility of providing stability of social interaction and political order in society (Lyubashits V.Y., Mamychev A.Y., Vronskaya M.V., Timofeeva A.A., 2016). This institutional and instrumental nature of power is connected with the “institutions that include formal rules, written laws, formal social agreements, informal norms of behavior, and shared beliefs about the world, and means of enforcing these rules and norms” (Agafonova et al., 2011).

Thus, the effectiveness, stability, adequacy (or weakness, instability, inadequacy) of institutional tools for regulating public and political processes affect the structuring, balance (or imbalance) of interaction between the public and power, the limited (or limitless, uncontrolled, absolutely violent) behavior and application of coercion, on the stability and development (instability, transitivity, lawlessness of political and legal beliefs, deformation and underdevelopment of political and legal consciousness) of beliefs, perceptions and behavior of political subjects. For example, the stability of institutions and the effectiveness of their regulatory impact “impose on state officials a system of checks and balances. Such restrictions level

out the scale of possible upheavals, as well as the use of violence” (Huntington, 2004). In other words, if the institutions are strong and stable, various forms and ways of abusing public power are minimized, and the society is protected from dramatic socio-economic, political, economic, and legal upheavals and crises.

In the same vein, the well-known American theorist S. Huntington believes that the institutional and technological weakness of state power “weakens the political order, undermines the authority, efficiency and legitimacy of power”. In addition, this weakness inevitably leads, according to the researcher, to a significant reduction in the level of patriotism, because political institutions do not have tools ‘capable of giving public interest significance and direction. A characteristic feature of this situation is not political development, but political decline” (Huntington, 2004).

From this point of view, the instrumental-technological approach in Huntington’s theoretical and logical constructions is key in the institutional and functional characteristics of state power, in the development of various institutions, in the political order and the social community as a whole: “The level of community in a complex society depends, in the first approximation, on the strength (stability in a rapidly changing world, constantly transforming social reality – authors’ note) and the might of its political institutions” (Huntington, 2004).

Such characteristics of political development as efficiency, stability, legitimacy, etc., are in turn explanatory, meaningfully concretizing the institutional characteristics of state power. In the societies and political systems undergoing reforms, in his opinion, the issue of limiting (politically and legally) power, as well as the problems of its legitimacy, credibility, and effectiveness should not precede, be prior to the question of the very existence of power and its institutional strength: “Before putting forward the question of restricting power, there should be a government itself; it is namely power (in this context, its institutional organization – authors’ note) that is insufficient in those modernizing countries where it is hostage to the opposition from intellectuals, rebel colonels, riotous students, incompetent officials, etc.”

Obviously, the characterization of state power in this case is based on the instrumental technological suitability (or inadequacy) and the competence (or incompetence) of public legal authorities, as well as the stability (or instability) of institutional and political structures. It should be noted that this idea is mainly based on concept of “weak state capacity” established in the middle of the twentieth century, which assumes an assessment of the ability of state organizations and institutions “to formulate universal rules and introduce them into politics, management, economy and society with minimal deviations from political intentions”.

At the same time, to the main characteristics of state power the following were added: institutional stability and strength of the institutional impact on various social processes (political, legal, economic, cultural, etc.); the degree and the level of guaranteeing (first of all, institutional and legal) of rights and freedoms;

democratic competence of the government; the degree of predictability of the development of state legislation, the level of corruption, and ethno-political and other social tensions.

Another example of description of the instrumental and technological nature of state power is presented in the well-known work of the West European political analyst F. Fukuyama. From his point of view, all “the systems of state power”, without exception, should be divided into strong and weak. The characteristics of strength and weakness include not traditional ideas about the military, financial, cultural power and independence of the state, but institutional and administrative stability. He argues that all uncontrolled, unstable and democratically incompetent governments are weak. At the same time, he proves that international security issues in this case require a constant and active “solution of problems within weak states, ... changing their regimes to prevent further threats from their side” (Fukuyama, 2007).

Within the framework of this idea, the institutional and procedural approach to interpreting the characteristics of state power is developing. In this case, the focus is not on the functioning state authorities and other political institutions, but on procedures for reconciling interests, resolving various kinds of conflicts, etc. That is why the level of harmony and absence of conflicts of political organization is strong if the procedures and means of protection, reconciliation, ordering, etc. that have developed in society and are reproduced from generation to generation are also strong.

For example, the political project of the “Federalists” was based precisely on the institutional and procedural aspect of the functioning of state power. From their point of view, only stable political procedures could ensure the progressive development of the American system of political organization. At the same time, “the main task was the development of means and methods for protecting the existing society from excessive pressure from state power. It was for this purpose that a practical system of checks and balances, the separation of the three branches of power, was established based on procedural rules and requirements, the “rhythm” and the mode of functioning of political organization” (Weber, 2007).

In addition, within this political framework, it is possible to identify a formal bureaucratic approach to analyzing the institutional characteristics of state power. It cannot be denied that all modern states are bureaucratically organized, i.e. they are based on a hierarchically structured management apparatus that carries out formalized management in order to perform strictly defined tasks. In the terminology of M. Weber, the founder of the modern theory of bureaucracy, bureaucratic domination is domination based on administrative apparatus whose legitimacy is based on the belief in the rule of law, which in turn ensures strict subordination of officials along the vertical of power. The bureaucratic apparatus, according to the

Weber's concept of rational bureaucracy, constitutes the core of statehood (Sokolova & Spiridonova, 2003).

The bureaucratic apparatus is both a source and an instrument of state power (an effective and capable bureaucratic apparatus), which is not only a key link connecting the state with citizens and solving state problems, but also an actor in international political relations. The administrative apparatus is not just a static system of power; it is a colossal driving force of change, capable, nevertheless, of leaving the zone of political control or, on the contrary, falling under the influence of momentary political intrigues.

The bureaucratic apparatus is both the personification of the institutional stability of state power, and the vehicle of its political decisions, and the international actor positioning the state on the international arena. Obviously, the institutional characteristics of state power, understood in a formal bureaucratic context, are primarily connected with an effectively functioning administrative apparatus capable of supporting the political and legal order, the process of strategic and current management of social processes, etc.

The biopolitical theoretical and conceptual approach in political thinking develops in three main directions - individualistic (behaviorist), collectivist (biological and psychological) and institutional.

Within the framework of the individualistic (behaviorist) approach (B. Skinner, E. Thorndike, J. Watson, etc.), the interpretation of the institutional and functional characteristics of state power is based on sensory, emotional and other factors that determine the political motives and behavior of the subject. This individual behavior is the first principle of not only the political process, but also a condition for the development of an institutional organization, where the conservation of the biological basis is one of the goals of the functioning institutions. The dominant factors and mechanisms that determine the development of institutions and the political order are individual physiological features.

Behaviorists assert that a person receives certain innate "patterns of behavior" upon which, in the process of socialization (political, legal, socio-cultural, etc.), more complex "behavioral patterns" are built. In turn, "fixation of the patterns occurs according to the 'law of exercise', i.e. it happens due to the repetition of the same reactions in response to the same or different stimuli. The primary search for reactions to these or other stimuli goes by trial and error" (Chernyakin, 2006).

At the same time, political analysis is aimed at the reconstruction and interpretation of various styles of power interaction (gender, age, etc.), at the description of national, racial, ethnic political and legal archetypes (Soloviev, 2006). In this case, it is assumed that archetypal themes and plots in the development of political culture and political behavior can be identified and highlighted as invariable dominants present at all stages of its transformation, despite the various

twists and turns in the evolution of this culture. In spite of the fact that the specific content of political culture, its institutional and power configuration, procedural and activity aspects can vary greatly, the archetypal form of their development is preserved and reproduced from generation to generation (Bolshakova, 2011). In this aspect, theoretically and practically, the question arises of the relationship between archetypal coding and direct political experience.

Thus, archetypal structures and models are the crystallization of socio-political experience, fixing, over time, the basic scenarios of political thinking, the regime of power interaction between the individual, the society and the state, and formative tendencies in the institutional organization of the society. At the same time, these structures and models concentrate experience in accordance with inherent schemes and sanction the experience that follows. In turn, images, ideas, systems of values and evaluation characteristics, originating from archetypal structures, involve us into the search for analogies in the surrounding world. The interaction between these innate structures and the political reality surrounding us acquires a positive or negative (legal nihilism, political anomie, etc.) value depending on how adequately they correspond to each other (Ovchinnikov et al., 2009).

In the context of the collectivist (biological and psychological) approach to political thinking, the same principle theoretical and methodological guidelines are used in interpreting the essence of political institutions and their functional characteristics, but the main emphasis is placed on the dominants and factors that determine collective behavior. Thus, within the biologic direction, it is argued that an institutional political organization consolidates and reproduces the complex and dynamic interaction of the innate and acquired in the society, while the ethnic, biological barrier is “the most powerful factor in the differentiation of the population in the process of its historical and biological development” (Khit & Dolinova, 1990).

Here we are talking mainly about instincts, “models that constitute a self-evident (unconscious and unreflected) initial basis of human perception and behavior. Moreover, it turns out that these instincts are ethnically differentiated, that is, they differ in different peoples. This means that, although it seems to us that we perceive the world and act in it in a natural way for the human being in general, in reality we perceive and master it in the manner of a person that belongs to a certain nationality. This difference is programmed because of its innate nature” (Nightingale, 2008).

For example, it has been observed that “in all Russian groups, regardless of their geographical differentiation, there are similar patterns” of behavior, reaction, aesthetically perceived beauty and appearance, justice, etc.

Consequently, various social, political, legal and other cultural factors are in a certain “synergistic (mutually reinforcing) effect with biological ... The relatively small genetic differences that arise as a result of divergence between two groups

of people are projected into culture and sociality, forming group differentiation according to cultural, linguistic, and economic features. In turn, the accumulating cultural, linguistic and social differences increase the propensity to cooperate with 'own' and hostility to 'other' people ... The general scheme is as follows: biology - culture - biology" (Nightingale, 2008).

In addition, the difference between types of political thinking, behavior and interaction is associated with the predominant activity of the various cerebral hemispheres, the right and left hemispheres. For example, the difference between Oriental and Western European political thinking is explained by the fact that in the former, the high activity of the left hemisphere determines spatial-figurative thinking, while in the latter - logic-discursive (Rotenberg & Arshavsky, 1984).

The psychological attitude (B. Bazhanov, L. Gumplovich, É. Durkheim, N.M. Korkunov, G. Le Bon, L.I. Petrazycki, G. Tarde, E. Fromm, K. Horney, A.G. Chernyavskaya, E.B. Shestopal, and others) reveals and interprets various psychological "propensities", "attitudes", "drives", "predispositions", etc., which act as sources, primary elements of social, political, legal and other interaction, subsequently mediated by secondary institutional forms of interaction - religion, law, morality, the state etc. In other words, psychological properties of people, small groups and large communities are declared the fundamental source and stable factors in the development of socio-political organization.

For example, G. Tarde argues that all political and social institutions can be unambiguously reduced "to the primary psychological elements that arise under the influence of example and as a result of imitation" (Tard, 1982). E. Fromm believes that the basis of various political regimes and their features are psychological factors "acting as active forces in the process of social development." All this, in his opinion, actualizes the scientific analysis of the problems of "interaction of psychological, economic and ideological factors" (Fromm, 1995).

From the point of view of L.Ya. Gozan and E.B. Shestopal, "psychological patterns can be found in big politics, and in the relationships of ordinary citizens." At the same time, the authors emphasize that the psychological approach to power relations is characterized by "the perception of institutions of power, attitudes towards power figures, adequacy of awareness of the degree of dependence on the holders of power, etc." The main question in the psychological interpretation of power institutions is the reconstruction of "the psychological mechanisms of power: why are people ready to accept one power, obey one person or the rules, but resolutely, sometimes sacrificing life, reject the other?" (Gozman & Shestopal, 1996).

In the domestic political science, there has been an array of fundamental studies revealing the psychological grounds for the formation and functioning of state power. One of the most famous psychological interpretations of the institutions of

state power is the concept of N.M. Korkunov, L.I. Petrazhicky and P.A. Sorokin. Thus, these researchers indicated that the basis for various social phenomena (power, law, morals, etc.) and functioning institutions (state power, legislation, etc.) lies in the minds of people. It is known that N.N. Korkunov, analyzing the content of public-power and private power relations, comes to the conviction that their basis, their core is the realization of dependence: "Power is a force that is not conditioned by the will of the ruler, but by the consciousness of dependence of the subordinate ... having neither will, nor consciousness, the state can only rule if the people are aware of their dependence on the state" (Korkunov, 1909). Moreover, the degree of awareness of dependence, according to Korkunov, forms not only social signs of state power, its nature and function, but also sets the limits of state power. Therefore, he describes the system of state power as a qualitative "state of established power".

The Russian lawyer L.I. Petrazycki expresses similar thoughts: "State power is ... social service authority. It is not a "will", capable of doing anything based on its force, as modern government theory erroneously believes, but it is, a general law in the minds of these or other persons, of commandments and other influences on the subjects on for the common good. At the same time, "all the psychic material necessary for the existence of even the most elementary state organization, accumulates over the centuries". Therefore, it is not so easy to dissociate ourselves from the force of the mind alone from the age-old experiences that have shaped the mental attitudes and the national image of power, and to reconstruct the entire institutional framework and the political practice itself (Petrazhicky, 2010).

The institutional attitude to political thinking was developed in the works of the French methodologist M. Foucault (Foucault, 2010), social and political philosophers M. Hardt, A. Negri (Hardt & Negri, 2006), the Italian thinker D. Agamben, and others (Agamben, 2001). Here, the institutional and functional characteristics of state power are associated with the organization of the individual's life processes. They argue that the institutions of power take under their legal regulation the proportion of births and deaths, the level of reproduction, population growth, internal and external migration processes, individual and collective insurance, etc.: "It is on birth, morbidity, various forms of biopolitical inadequacy (migrants, madmen, various other social deviations and differences from the social norm –authors' note), on the impact of the environment, on all this, that biopolitics will spread its experience and determine accordingly the focus of exertion of its power" (Foucault, 2005).

Thus, biopolitics, according to Foucault, deals primarily with the population, which is considered "a legal and political problem". Population and the processes of its development become not only the object of knowledge, but also the object of close monitoring and management. At the same time, the fundamental task is to establish regulatory mechanisms that "in the problematic area of the global

population can establish a balance, support it, establish the kind of homeostasis, provide compensation, in short, to introduce security mechanisms in that random region where population lives ... to optimize, if you will, the state of life.” M. Foucault emphasizes that, unlike the disciplinary forms of domination, biopolitical domination and its inherent political rationality are oriented toward achieving social equilibrium, ensuring orderliness in global social development and “biological homogeneity” (establishment and maintenance of a single lifestyle).

This knowledge and technology of power, which are aimed at regulating not individual bodies, but the way of life “re-group the mass actions inherent in the population. They strive to control a series of random events that can occur in the living mass; they try to control (to modify, if possible) the probabilities, or, in any case, to compensate for the consequences. Such technology attempts not individual training, but strives for a global equilibrium ... to preserve the whole in relation to internal dangers.”

Explaining this, P. Meyer, in an interview with M. Foucault, notes that the city in modern Western European states is divided into blocks, where “to each block a supervisor, social worker, policeman is assigned... whom everyone in the block knows and who must deal with both the errands of old women, and neutralize offenders... Such supervisors and social workers are placed there to stimulate sociality, control and supervision” (Foucault, 2005).

The social services that once belonged to the civil society are becoming institutions connected and dependent on the state, expressing and pursuing a policy of state interests. In turn, Foucault interprets state interests as a practice “or rather, the rationalization of practice, the situating between the state represented as actual state and the state represented as creation and construction (*italics is ours*)”. At the same time, the law “starts to be used not as a fulcrum for a person”, but to justify and protect the state interests (which, by the way, leads to the formation of such phenomenon as “bureaucratization of law”).

In addition, neither the theory of law nor fundamental rights are criteria of state activity, but its “success or failure, and it is they that are now the criteria for government action, not the legitimacy or illegitimacy (success instead of legitimacy)”. The danger of this principle, especially in transitional societies, in the transitional state of law and the state, is that it activates the effects of the so-called “floating frame of legitimacy” and “situational legitimizing principles”.

In this type of public-power interaction, there are processes of so-called “medicalization” of power and the political process. Foucault notes that if earlier classical thought discriminated between lawful and illegal, in contemporary political reality, apart from the above-mentioned binary opposition, a division into normal and abnormal is also used. Thus, he notes, it is precisely through the processes of “medicalization” that categories of “normality”, “usefulness”, etc., invade political

thought, which builds “a sort of hierarchy of more or less capable individuals: those who observe certain norms; those who deviate from them; those who can be corrected; those who cannot be corrected; those who can be corrected by using this or that method; those to who other methods should be applied” (Foucault, 2006).

Consequently, according to Foucault, this type of power-legal relations forms a model in which, under the guise of institutions, responsible, at first glance, for protection and security, the power technologies of domination are built into the “social body”, through which the world of life and needs of individuals becomes the object of control and submission. Therefore, a state that guarantees security is a state that is obliged to intervene in all cases when the course of daily life is disturbed by an exceptional event. And “immediately the law is inapplicable; immediately these types of interventions become necessary. The excluded and illegal action should not at all look like a sign of arbitrariness or excess of power, but, on the contrary, to be a sign of care” (Foucault, 2006).

At the same time, according to M. Foucault, it is important in the current political reality that the two last types of public-power relations mutually develop and support each other. The disciplinary type of power domination is, as it were, the foundation of the modern state-legal regime, “the upper floors of which are occupied by the central state power. Here, state violence against citizens has a hidden form; it is hides under the shell of the law.” Below the level of central authority “there is a force that acts not in the name of the law, but in reliance on the rules of internal regulations, characteristic of institutions such as prison, school, army, clinic” (Foucault, 2005). In turn, biopolitical domination acts on a different level, it takes control of the entire population and provides it with social security, while relying on a binary opposition normal - abnormal (Foucault, 2005). Consequently, the opposite side of state rationality and legality is the force acting through disciplinary coercion and bringing to norm, i.e. “normalizing” power, developed in civilian institutions.

Socio-cultural theoretical conceptual approach in political thinking. This approach links the institutional and functional characteristics of state power with the socio-cultural conditions and the structural and procedural aspects of social interaction. In this approach, the essence and functions of state power institutions are inextricably linked with social experience, the normative-value model of a particular society, and the specifics and nature of social interaction. At the same time, its functioning is directly connected with the conditions and social context that contribute to the institutionalization of a certain modality of power relations, the specific configuration of the public legal institutions of power and the system of social representations of them, demands and expectations from their activities. All this forms a certain cultural text of the epoch, inside which the institutional and power practice is “read,” developed and changed.

The functions of power, in particular of state power, for T. Parsons are related to the fact that it is a generalized ability supported by acting institutions (expressing collective goals, interests, and needs) that “seeks fulfillment from the members of the collective of their obligations legitimized by their importance for the collective, and allowing coercion of the obstinate through the application of negative sanctions to them, whoever they may be” (Parsons, 1997).

The essence of both the power itself, its institutional configuration, and its functional orientation are associated with social relations that are the sources of all institutions, the functions they perform in society, and the evolving dynamics of the institutional organization of society. For example, from the point of view of the modern political researcher G. Thurbon, the comprehension of power and functioning of public institutions that organize and realize it is directly linked to social relations that remove traditional problems of power (Thurbon, 2003) (for example, what classes are in power, who governs whom, how to limit the power of certain subjects, etc.) and emphasize the resource of exchange and constant redistribution, the quality of power relations, and so on.

In this context, political scientists J. Buchanan and D. Tullock argue that “this approach includes political activity as a specific form of social exchange; ... mutual benefit for all parties is presumably derived from collective relationships. Therefore, in a very real sense, political action is considered a means that increases the power of all participants if we define power as the ability to manage things desirable for a person” (Buchanan & Tullock, 1962).

The political sociologist P. Bourdieu, opposing the traditional principle of political thinking, is more interested not in the subject of power relations as an element of a certain institutional structure, but in the conditions and institutional practices that determine its actions. As a rule, under the traditional approach, the researcher assumes an objective position, interpreting and commenting on the subject as a particle (element) of the structure, abstracting it from social action and depriving it of cognitive activity and the role of random deviations in his activity at the level of a generalized analysis. Bourdieu believes that the social actor acts consciously within the framework of a certain social field, obeying specific institutional rules and social-power strategies. Such a social disposition (*habitus*) of the actor in a particular field of the sociomental structure makes it possible to classify and produce specific types of power practices. This involvement in political discourse, on the one hand, contributes to the process of successful political socialization, and on the other creates the opportunity for effective action and decision-making.

From this point of view, any political institution and the political order as a whole is always historical and unique; it is formed in specific socio-cultural conditions and is functionally determined precisely by these conditions. In other words, the stability and legitimacy of political and state institutions will depend on

the extent to which these forms of organization and the results of their functioning remain ethically, culturally and economically acceptable for the majority of the population.

Another direction in the framework of this approach in political thinking characterizes the institutional and functional characteristics of state power from the structural and procedural positions. This theoretical-methodological approach is based on the consideration of the political order as an objective structural and procedural totality.

In this case, it is argued that the “content” of power relations, their institutionalization in certain political structures that determine the process of state management, depend on the type of society based on the historical specificity of socio-economic relations. In this respect, “power, of course, should be studied not only from the point of view of the non-specific power of organized elites, but also from the point of view of the organization itself, especially the form of organization of labor, which differs in type and scope of domination and independence; but Marxist emphasis on exploitation and class is connected with the consideration of power only in the general sense... The definition of power in terms of responsibility, choice and consent and the distinction between fate, coercion, authority, manipulation and power are inherent in subjectivist discourse and, as such, lie outside the framework of the actual Marxist analysis. The latter does not begin “from the point of view of the actor”, but from the point of view of unfolding social processes” (Thurbon, 2003). In addition, within this approach, not only the structures ensuring a certain configuration of power institutions and their functional orientation are important, but also the processes of reproduction of power relations in the society (Lewkes, 2010). In other words, the functional duties of the institutions of state power as a special structure generated by the existing system of social and economic relations, include the production and re-production of relations, the maintenance of a certain form of domination and of the type of state and legal organization (Baranov P.P., Mamychev A.Y., Ovchinnikov A.I., 2016).

Under this approach, research practices aimed at analyzing the institutional and functional characteristics of state power are related to such questions as “What kind of society, what fundamental relations are reproduced? By what mechanisms? What is the role of the structure and the action (or inaction) of the state (or local authorities) in this process of reproduction? Are they contributing to it or simply making it possible, or hindering it? The analysis of reproduction provides an opportunity to answer the question of how different manifestations of power are related to each other in the society, even if there is no conscious interpersonal connection ... the fact of reproduction of a special form of exploitation and domination serves as evidence of class rule and an important aspect of power in society” (Thurbon, 2003).

The key problem in the consideration of the institutional and functional characteristics of state power under this approach is the issue of state influence on

the production and reproduction of certain types of power relations. Since in the state structure the mechanisms of this (re) production receive formal institutionalization and normative support, the very rule of one class, an elite group, etc. is exercised through the institutions of state power. According to G. Thurbon, in this approach, the main result of research is the formation of a typology of state intervention and the typology of state structures that ensure such (re) production of relations and the type of organization.

CONCLUSION

In conclusion, we stress that the analysis of the institutional and functional characteristics of state power has obvious theoretical and practical value, since they not only specify the social essence, the role and purpose of state power, the nature of the mechanism of the state (systems of bodies and structures), but also reflect its various directions, priorities of functioning and various kinds of activity. At the same time, the institution and function are inseparable and mutually interrelated, while the institutionalism and functionality of state power are the necessary indications of its existence and the indispensable conditions for its functioning in the political process, conditioned by socio-cultural and political-legal forms.

In this article, we proposed a typology of conceptual and political attitudes to the interpretation of institutional and functional qualities of state power is based on the classification of the main paradigms of political analysis in political science, relying on this or that holistic ideological and conceptual model of political thought that develops (reproduces) in relatively similar (in the theoretical and methodological direction, the style of political thinking, the ways of setting and solving of political problems, etc.) political theories, doctrines, and program provisions. Five conceptual political approaches have been distinguished: (1) the political doctrine of “divided wills”, represented by theocratic, ideological and monarchical doctrines; (2) the conceptual political approach based on the substantial unity of the ruling (state) will; (3) rational-technological political doctrine, represented by institutional-technological, instrumental-technological, institutional-procedural and formal-bureaucratic approaches; (4) the biopolitical doctrine that is being developed in modern individualistic (behaviorist), collective (biologic, ethno-national, psychologic) and institutional-psychological approaches; (5) the socio-cultural political paradigm, represented in anthropological, neoinstitutional, structural and procedural directions of political analysis.

Acknowledgement

The work was carried out with the financial support of the grant of the President of the Russian Federation No. MD-6669.2016.6.

References

- Agafonova, T.P., Gdalevich, I.A., Mamychev, A.Yu. & Mordovtsev, A.Yu. (2011). *Abuse of public authority and anti-corruption policies in modern Russia*. Moscow, p. 127.
- Agamben, D. (2001). *Homo sacer. Sovereignty and a bare life*. Moscow.
- Baranov P.P., Mamychev A.Y., Ovchinnikov A.I. (2016) Management of the conservative political platform of the transformation public-power organization in Eurasia // International Review of Management and Marketing. No. 6 (S6). P. 241-246.
- Bolshakova, A.Yu. (2011). *Archetype - a myth - a concept (the turn of XX - XXI centuries). Theories of the archetype*. Ulyanovsk.
- Buchanan, J. & Tullok, G. (1962). *The Calculus of Consent*. Ann Arbor: Univ. of Michigan Press.
- Chernyakin, V.G. (2006). *Political institutes: research methodology: a monograph*. Moscow, p. 43.
- Foucault, M. (2005). *Abnormal: a course of lectures delivered at the College de France in the 1974-1975 school year*. St. Petersburg.
- Foucault, M. (2006). *Intellectuals and power: selected political articles, speeches and interviews*. Moscow.
- Foucault, M. (2010). *The birth of biopolitics. A course of lectures delivered at the College de France in 1978-1979*. St. Petersburg.
- Fromm, E. (1995). *The flight from freedom*. Moscow, p. 14.
- Fukuyama, F. A. (2007). *Strong State: Governance and World Order in the 21st Century*. Moscow.
- Gozman, L.Ya. & Shestopal, E.B. (1996). Political psychology. Rostov on Don, p. 62-64.
- Hardt, M. & Negri, A. (2006). *Set: war and democracy in the era of the empire*. Moscow.
- Huntington, S. (2004). *Political Order in Changing Societies*. Moscow.
- Khit, G.L. & Dolinova, N.A. (1990). *Racial differentiation of mankind (dermatoglyphic data)*. Moscow.
- Korkunov, N. (1909). *Russian state law*. St. Petersburg.
- Lewkes, S. (2010). *Power: A Radical Look*. Moscow, p. 183.
- Lyubashits V., Mamychev A., Mamycheva D., Vronskaya M. (2016). The northern caucasus in the 21st century: Sociocultural and political-economic viability of Russia's state sovereignty // Central Asia and the Caucasus. Vol. 17. Issue 3. p. 14-22.
- Lyubashits V.Y., Mamychev A.Y., Vronskaya M.V., Timofeeva A.A. (2016). Socio-economic and Public-power Aspects of the State and Society Relations in Modernizing Russia. International Review of Management and Marketing. No. 6 (S6). P. 116-120.
- Mamychev A., Mamycheva D., Krupnitskaya V., Timofeeva A. (2016). Political transformation of public-power organization and the color revolution technology in the Eurasian space // Central Asia and the Caucasus. Vol. 17. Issue 3. p. 22-30.
- Mamychev A.Y., Lyubashits V.Y., Shalyapin S.O., Filippova, M.K. (2016). Prognostic problems of the public and power organization of the Russian society: Archetypes and sociocultural basis of functioning and development // International Review of Management and Marketing. No. 6 (S6). P. 85-89.
- Mordovcev A., Mamychev A., Mordovceva T. (2016). Democratic Transit in the South Caucasian countries // Central Asia and the Caucasus. 2016. Vol. 17. Issue 3. p. 7-14.

- Nightingale, V.D. (2008). *Blood and soil of Russian history*. Moscow, p. 62.
- North, D. (1997). *Institutions, institutional changes and the functioning of the economy*. Moscow, p. 17-19.
- North, D., Wallis, D. & Weingast, B. (2011). *Violence and social orders. A conceptual framework for interpreting the written history of mankind*. Moscow, p. 59.
- Ovchinnikov, A.I., Mamychyev, A.Yu., Manastyrnny, A.V. & Tyurin, M.E. (2009). *Legal archetypes in the legal policy of Russia*. Rostov-on-Don, pp. 22-26.
- Parsons, T. (1997). *On the notion of "political power"*. Moscow.
- Petrzhichy, L.I. (2010). *Theory and policy of law. Selected works*. St. Petersburg.
- Rotenberg, V.S. & Arshavsky, V.V. (1984). Interhemispheric asymmetry of the brain and the problem of cultural integration. *Issues of philosophy*, 4, pp. 78-86.
- Sokolova, R.I. & Spiridonova, V.I. (2003). *The state in the modern world*. Moscow, p. 168.
- Soloviev, A.I. (2006). *Political science: political theory, political technologies*. Moscow, p. 40.
- Tard, G. (1982). *Laws of imitation*. St. Petersburg, p. 38.
- Thurbon, G. (2003). What does the ruling class do? When does it reign? Some reflections on various approaches to the study of power in society. *Logos*, 6, p. 76.
- Weber, M. (2007). *Economics and Society*. Moscow, p. 8.