

Contemporary Russian Federalism

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Delimitation of Jurisdictional Subjects
and Powers



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*In Memory of My Teacher Ambassador
Vassily N. Likhachev*

Preface

Contemporary Russian federalism is the focus of this monograph. Steps forward on the way to developed federal relationships in the 1990s have been replaced by steps backward owing to unitary tendencies in the 2000s and the 2010s. But is this a sustainable state of affairs? Is it worth returning to the asymmetric federative form of the 1990s? I attempt to answer the question: Is there a way forward for federalism in Russia? As the title suggests, the aim is to review the origins of federalism in the New Russia, assess the present *de jure* and *de facto* situation and to analyze if Russia has a chance of reviving federalism. My focus is on the evolution of federal relationships from Yeltsin's asymmetric treaty—constitutional federation to Putin's *de facto* unitary state. The possible ways of framing relations between the center and the constituent units for the next four years and beyond are discussed.

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Introduction

Federalism was always the focus of political discourse in Russia. In this country, federalism is an effective organization of multi-ethnicity; it is a form of government, which meets national, cultural, and linguistic interests of different ethnic groups. It is not a positive sign that during recent years the sensitive issue of federative relationships was not touched upon in the political discussions in Russia.

Moreover, the very nature of Russian federalism changed significantly in July 2017, when the last, though legally formal, a foundation for asymmetric federalism in Russia ceased to exist. The Russian federal center refused to negotiate the new bilateral Treaty on Delimitation of Jurisdictional Subjects and Powers Between the State Bodies of the Russian Federation and the State Bodies of the Republic of Tatarstan (the previous treaty expired on July 24, 2017). This fact might have long-term consequences for the development of Russian federalism toward unitarism. Bilateral treaties of the constituent units with the federal center are the key element of federalism; they introduce asymmetry to the federation and ensure democratic rights, minorities' rights, representation, and participation. Asymmetric federation was a mutual acknowledgment of the status of a federal center and constituent units. In these relationships, the respect for the rights of the units from the part of the federal center was a key element.

In a wider political discourse, the issue of federalism in Russia is an issue of territorial integrity of the state and an issue of its future destiny. Are the strong regions a prerequisite for the strong federation or is it a move toward the disintegration of the federation? Where is the proper balance? The idea of federalism in Russia declared in the federal constitution is in dissonance with the contemporary unitary trend.

Irrespective of the type of state structure Russia will become over the next decade, it can be recognized that asymmetric federation was an important stage in the development of the New Russia. It supported the initiative of the constituent units while taking into account national, linguistic, cultural, and confessional peculiarities and preserved the territorial integrity of the country.

In all these senses, the discussion is focused, both for now and the future, on how Russia should be organized in terms of the state structure. We sincerely expect that our approach to the subject can serve as a useful reference point for further debate.

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