

## The Russian Federation under Putin: From Cooperative to Coercive Federalism?

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Russia's highly complex federal structure has become a significant problem, but one that could soon be addressed by imminent reforms. Re-elected in March 2004, President Vladimir Putin has begun his second term with a sweeping initiative to redistribute powers between the central government and the regions and to reduce the number of constituent units in the Russian Federation. The current changes are a continuation of Putin's attempts to strengthen the federation from the centre and to establish stronger "vertical power" in the country.

The adoption of the 1993 federal Constitution is not a culmination of Russian history or of Russia's constitutional development; rather, it was the beginning of Russia's experiment with federalism. **Even though complete abandonment of federalism in Russia is very unlikely in the foreseeable future, the current expansion of federal government activity in virtually all spheres of life could be considered a sign of Russia's transition from "cooperative" federalism** (based on treaties between the federal centre and subjects of the federation) **to "coercive" federalism** (based on the federal Constitution and strict compliance of the federation units with it).

The Russian Federation is a presidential republic. The Russian president – proclaimed the "guarantor" of the Constitution and of the rights and freedoms of citizens – is the head of state representing the Russian Federation within the country and in international relations. He or she is empowered to take measures to protect the sovereignty of the Russian Federation, its independence and state integrity, ensure the coordinated functioning and interaction of agencies of state power, and to determine the basic orientations of internal and foreign policy of the Russian Federation in accordance with the Constitution and federal laws.

There are three different court systems in Russia: 1) the Constitutional Court (created in 1991); 2) "regular" courts or the courts of general jurisdiction (including military courts); and 3) arbitration courts (*arbitrazh*) or commercial courts. It is important to underline that Russia doesn't have a single highest court of the country. All three highest courts – the Constitutional Court, the Supreme Court (the highest court among courts of general jurisdiction), and the Supreme Arbitration Court – enjoy similar status.

Russia's Parliament became bicameral after the 1990 constitutional amendment, shortly before the disintegration of the Soviet Union, and the 1993 Constitution kept its bicameral structure. The Parliament, or Federal Assembly, is composed of two chambers: the State Duma and the Federation Council. The State Duma consists of 450 deputies; the Federation Council, of 178 members (sometimes called senators), two from each of the 89 subjects of the Russian Federation.

The Constitution divides all subjects of the federation into three main groups: republics; national-territorial units (known as autonomous regions and autonomous areas); and administrative-territorial units (which includes regions, territories, and the country's two federal cities, Moscow and St. Petersburg). The units themselves are formally defined as "subjects" rather than constituent units of the Russian Federation. The Constitution grants equal rights and responsibilities and full state power to all of the country's 89 component units. In practical terms, though, some subjects enjoy that power much more than others. This makes Russia an asymmetric federation.

Issues of federalism are among core elements of recent far-reaching reforms in Russia. First, a proportional election system was introduced for the State Duma; the next Duma will be

elected in accordance with party ballots alone. This new law provides that each political party must have at least 50,000 members, with regional chapters boasting at least 500 people each. Second, the regional election system was overhauled. New electoral laws state expressly that, from now on, all territorial governors shall be elected by territorial legislatures in line with presidential recommendations. Third, Russian authorities began the process of merging some of the country's federal units. The latter two of these reforms are discussed below.

The Russian federal government has taken a number of measures aimed at elimination of "ethno-territorial federalism" in the country, changing the status of ethnic republics and bringing them down to the level of ordinary Russian regions. The Duma has passed a law that gives the president authority to remove popularly elected regional leaders, including presidents of ethnic republics. Further, with the aim of merging ethnic and non-ethnic entities within federal districts, Russia has been divided into seven federal districts, each comprising about 10 to 12 subjects of the federation. The districts are supervised by representatives of the Russian president.

The 2004 Beslan tragedy, in which Chechen and Ingush terrorists took about 1,200 hostages at a school in the town of Beslan, killing 330 people (a third of them children), prompted Putin to initiate new reforms for regional authorities. The president proposed appointing governors instead of electing them by direct vote, along with other initiatives designed to mobilize the society, strengthen the Russian state, improve administration of subjects of the Russian Federation and make them capable of responding appropriately to modern threats and challenges. On December 7, 2004, the Federation Council approved new legislation to eliminate direct gubernatorial elections across the country. Since the new regulation came into effect, 18 Russian governors have been re-appointed by the president and four have been dismissed. These moves towards the greater centralization of power are seen by the Russian federal government, its political elite and the general public as being necessary in order to keep the country together.

On July 2, 2005, President Putin announced his plans to sign a decree that will return to governors many of the powers that had been taken away from them as a result of Putin's regional policies. Addressing a session of the State Council in Kaliningrad on the subject of improving federal relations, President Putin emphasized that the delegation of additional powers to the regions was not a goal in itself but rather a step aimed at helping secure economic growth in the regions. The powers to be delegated include authority over forestries, environmental policy, cultural landmarks, education, and science. According to Russian observers, overall the latest Putin initiative will return to governors 114 of their original powers.

However, this new approach of restoring power to the governors doesn't contradict a more general centralization tendency in the country. Moreover, Putin's aforementioned "Kaliningrad report" supported an idea of establishing direct federal rule in financially insolvent regions. Failure of the regional authorities to effectively use their numerous powers and ensure the proper use of funds allocated to the regions aggravates economic problems in the region, increases the unemployment rate, and eventually strengthens extremism. These arguments rationalize the belief that direct federal rule from Moscow would be a necessary and justified measure.