

A tale of two federations

By Pran Chopra

An Indian researcher on federalism writes of his visits to Russia in recent years and discovers useful comparisons with his own country.

Dear Colleagues,

In recent months I have had the opportunity of spending the most fascinating time I have ever had in Moscow. I have visited the city periodically since the early 1960s but have never seen it change as much as between the two latest visits.

The first of these was in the second half of the 1990s. By that time the promise earlier seen in President Yeltsin had given way to grave apprehensions because his uncontrollable caprice was ruining the country.

The second visit came five years later, in the middle of 2001, and this time I saw Putin's Russia striving to lift itself up by its boot straps. If post-Stalin Russia has never seen such a steep decline as in the Yeltsin years, it has also never seen so much being done in so short a time as President Putin has done to restore the country's confidence in itself.

I have fairly close knowledge of Indian federalism, and in the light of that I tried to understand the different federalism President Putin is building. Different in the sense that Putin is harnessing federalism to a highly centralised presidential system, while, in my view, the decentralist spirit of federalism is much more at home in the parliamentary system.

In the latter, power is shared out between layers of popularly elected assemblies, each of which is chosen by its particular electorate and each has rights which another assembly may not encroach upon because they are protected by institutions --- a constitution or an apex court or both -- which are independent of executives and legislatures at all levels.

When this happens in a vigorously multi-party polity that is also a parliamentary federation, it often leads to coalitional politics, as it has in India, where national and regional parties have become partners in power at all levels. National and regional parties co-opt each other in their respective governments to make majorities in their respective legislatures. This has helped regional parties in weaving their local affinities into a national allegiance and national parties to keep their feet firmly on the soil of even the most distant regions. Overall, a web of linkages now binds the centre and the periphery into a single whole. This feature of India's parliamentary federalism gave me a vantage point from which I could see Putin's presidential federalism.

I could see of course that Putin has his own problems, and why his way of dealing with some of them makes many people ask whether the Presidency will prevail over federalism. But that only lent an added edge to my interest in the Russian scene, though Russian friends thought it Quixotic that with a road map of India in my head I was trying to discover political pathways in Russia. However, very soon it was their curiosity about the failures and successes of federalism in India that began to illuminate the way ahead for me.

Most people I spoke with knew very well that both Russia and India are too large and diverse to be governed well from a distant centre, however powerful. But all of them also worried whether in current Russian conditions the federal centre would be too weak to keep the country together. They were interested when I said that at one time we in India were worried similarly but we found reassurance in a view of federalism given us by India's first Prime Minister, Jawaharlal Nehru.

On the eve of India gaining independence, the departing colonial power, Britain, gave the Muslim majority regions of northwestern and eastern India the right to secede and to form an independent country (or countries). That is how Pakistan came into being.

But India was still left with a larger Muslim population than any other country except Indonesia, and so India worried whether even after sacrificing its unity for the sake of its independence its unity would be compromised again in a federal system, in which the powers of the federal centre could be gradually eroded by the powers given by the Constitution to the federating states.

Russia went through the same trauma at the start of the 1990s, when the Soviet Union lost all of its Central Asian republics, all of which had predominantly Muslim identities, and yet the residual Russian Federation was left with six facts which I found to be rankling still in the Russian conscience.

First, Muslims are about 20 per cent of the population, almost twice their proportion in India. Second, the Muslims are concentrated in some states of the Russian federation and therefore their cultural separateness also has a territorial identity. Third, they are close enough to the Central Asian republics to be breathing their distinctly Islamic air. Fourth, some of them also sport in their names the same suffix, "stan", or homeland, as do many Muslim majority countries, from Turkmenistan to Pakistan, and which can be a future bond between them. Fifth, Moscow is constantly reminded of this by "Tatarstan", a part of Russia which often claims and asserts a special place in the Russian mosaic because it was not only independent once but also exacted an annual tribute from Moscow. And sixth, the predominantly Muslim Chechnya is in the grip of an openly secessionist rebellion against Moscow, with the suspected support of Islamic fundamentalists in some countries, including some of the "stans."

In the face of these facts, a major theme in my conversations in Moscow came to be a phrase used by Nehru, "Unity in Diversity", which sums up the virtues of federalism in a country that has a pluralistic society. He meant that the unity of such a country is best

preserved by not only accepting but celebrating its diversity by giving it a federal shape in which each viable identity can have a place of its own within the unity of all. This is how the “linguistic nationalism” of some Indian states was sublimated into a higher nationalism.

But in Russia, Yeltsin turned this natural process into a nightmare for Putin and for the present day Russian Federation. As an arrogant Russian Yeltsin considered the largely non-Russian parts of the Soviet Union, the Central Asian Republics, to be an encumbrance and signed them away into independence even before they seriously asked for separation. And then he went on to do worse for the Russian Federation. Seeking re-election as president, he promised to give the federating units “as much sovereignty as they can eat” in exchange for their votes. He reduced Russia to what it has been often called since then, “a parade of sovereignties”, and put its future unity in peril.

The mess he thus made of the Federation was described to me at the Centre of Socio-Economic Studies of Federalism. First, early in his first presidency, he rushed through the Duma a constitution of the new Russian Federation which was a jumble of generalities and most imprecise in the division of powers between different levels of the Federation, unlike the well thought out constitution for a federal Soviet Union which Gorbachev had drawn up with the consent of the units of the Union.

Next, instead of getting their backing for a constitution for the whole federation, he negotiated separate and asymmetrical treaties with more than half of the 89 constituents of the federation. Thus some states had powers that others did not though they were equally entitled, and powers given to one level in one treaty were put elsewhere in another.

Repairing that constitution or drawing up another would have taken Putin more time than he had. He therefore cut a corner: he divided Russia into seven regions, put them under seven powerful representatives of the president, and gave those representatives all the encouragement they needed to cajole, coerce, ease the constituents out of their treaties and into a flexible but single constitution.

The process has made some progress but much of the mess remains. In the meantime Putin’s representatives have accumulated so much power in his name that, as feared by many, the federation can become a seven-unit union in all but the name.

An Indian bell was rung in our conversations by another contemporary development in Russia that had taken place in India in the 1960s and 1970s, disturbing the unionist and the centralist sentiment in India then as in Russia now. Until those decades the Congress party had regularly won elections at both levels and in most parts of the Indian federation. Therefore what the centre could not require a state to do under the Constitution it could persuade it to do through intra-party pressures. But later, if the Congress lost a state to a competing party the latter asserted its constitutional rights all the more firmly. The problem increased because, as happened elsewhere also and now in Russia, when the hegemonic rule of a single party ends it is followed by the mushrooming of many parties.

Inter-level tensions can then increase if the federal habit does not take root in the meantime. In India it did, powerfully aided by the two most important facts of Indian federalism: the powers of governments at different levels are listed clearly and in detail in the Constitution, and the Supreme Court has a strong role, accepted by all, in settling disputes about them. In Russia the Constitutional Court has not yet been able to carve out an adequate role for itself.

Federalism might also be slowed in Russia slowed down by Putin making what can turn out to have been a mistake. If the Indian case, as explained above, is a guide, a polity best develops its federal balance through interplay between parties that have national horizons and those that are rooted in the regions. The former are emerging in Russia. The latter may be held up because the rules for their electoral recognition have been made very narrow; perhaps out of the fear mentioned earlier that regionalism would hinder national unity.

In a bald summary then, though India is called a Union it is also a developed federation. Russia is a federation in name but is farther from being one in fact. But seeing how much else he is doing so very well, in this respect also Putin might yet make up for Yeltsin's mistakes if he decides to do so.

As we begin a New Year one should hope for the best.

Yours sincerely
Pran Chopra.