

The Centre and the Regions in Contemporary Russia

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LUKE CHAMBERS, FEB 23 2010

The Centre and the Regions in Contemporary Russia Federalism and Regional Subordination Under Putin and Medvedev

There is widespread acknowledgement that Putin's federal reforms have had considerable success in subordinating regional authorities to the will of central government.[1] And undoubtedly, Putin believed that such reforms were a necessary aspect of reigning in the "emotionalism" and resultant chaos of the Yeltsin years.[2] In 2000 he provided a primary impetus for reform:

"It is a scandalous thing when a fifth of the legal acts adopted in the regions contradict the country's basic law, when republic constitutions and province charters are at odds with the Russian Constitution, and when trade barriers, or even worse, border demarcation posts are set up between Russia's territories and provinces." [3]

Numerous scholars have also stressed that some kind of recentralising reform may have been necessary.[4] As Bahry notes, a residue of the Yeltsin years was that "regional assertiveness and asymmetrical federalism left many wondering about the continued viability of the Russian state." [5] However, it is a generalisation to claim that Putin's reforms have been absolutely effective everywhere. Regional responses have not been uniform. For example, Putin's attempt to reverse the "asymmetrical" relationship with many regions, particularly ethnic republics, has often run into difficulties, and regional "assertiveness" will not disappear overnight.[6] With this in mind, what are the major examples of how Putin has subordinated the regions, and where can we find examples where this has proven more difficult than raw observations may indicate on the surface?

This analysis will examine some reforms made early in Putin's presidency, as it is easier to observe their effects than recent ones. The first reform to enjoy measurable success was the creation of seven federal "superdistricts". [7] Instead of each regional subject possessing a Presidential Representative (PR or plenipotentiary), Putin abolished the post and instead appointed one for each superdistrict.[8] The number of Presidential Representatives has thus been drastically reduced, their territorial responsibility has increased and their ability to fully engage with the regions has been impaired, as the administrative centres of the superdistricts are often hundreds of miles from regional capitals; in short, as Hyde summarises, PRs are "further removed from the regional level of administration and have less contact with regional leaders." [9]

The territorial composition of the superdistricts has also helped to subordinate the regions. Putin did not make this redrawing strictly along pre-existing territorial demarcations. Instead, as Ross explains, Putin "drew up the boundaries of the new federal districts in such a way that each district would include a mixture of ethnic republics and territorially defined regions." [10] This had the effect of diluting the political weight of the regions, dislocating their administrative coherence and, Ross continues, providing "a blow against the sovereignty claims of the ethnic republics". [11] As Mart'ianov has stressed, this reform has subordinated regional authorities by "making a transition from the ethnic territorial principle to a purely territorial one as the basis for the administrative division of the country." [12] Additionally, the superdistricts were drawn to reflect Russian military districts, exposing a murkier manner in which the regions are subordinated: five out of seven PRs have a military or security services background, thus rendering them reasonably loyal to Putin when he was president.[13] As an instrument of centralised power, the military also serves as a powerful metaphor through which to view these territorial reforms.

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Secondly, the reform of the Federation Council has recentralised power back to Moscow. Before Putin's reforms, as Hyde notes, the Federation Council was a "recognition of the importance of Russia's regional leaders," or, as Preston King would argue, a recognition of the "legislative entrenchment" of federal subjects at the level of Moscow.[14] But the reforms have subordinated regional authorities by removing the right of the chairs of regional assemblies to sit in Russia's upper chamber.[15] Instead of regional chief executives sitting on the Council, they now send delegates instead. While this may look like a mere transfer of power and not a dilution, the key difference is that regional chairs have therein lost their immunity from public prosecution. The presidency can threaten them with such action, Ross states, "to keep the [them] in line." [16] This is important for the presidency, because since the introduction of elected regional executives until Putin changed this procedure, their "loyalty [could not] be guaranteed." [17]

Furthermore, Putin has reigned in the origins of his own influence in bodies like the Federation Council. As Ross points out, by the end of January 2002, out of 166 delegates, 71 were from Moscow, not the regions they represented: this has clearly served to undermine the "basic prerequisites for a federation", namely King's "legislative entrenchment of federal subjects in central decision-making." [18] As Hyde summarises:

"[P]rofessional representatives based in Moscow (not the regions), being distanced to some degree from the concerns of the regions which they represent, are likely to be more susceptible to the influence of federal government. [...] The reform of the Federation Council may reduce the ability of some regional leaders to influence federal politics and lead to a decline in their status, both nationally and in their regions." [19]

Effectively this exposes Putin's attempts to construct a new vector of power from the top down rather than horizontally (вертикал власти), as other federations, like the United States, function.[20] In many ways, Yelstin's maxim that regions should "take as much sovereignty as [they could] stomach" was an extreme notion of this principle of horizontal power distribution.[21] The Federation Council has been weakened by this reform, especially as the Duma can override it anyway, as was the case in July 2000 when it rejected most of the Council's proposed amendments to Putin's reform.[22]

A third reform that has been visibly successful in subordinating the regions has been the new ability of the president to remove and appoint governors, and to demand that regional laws be brought into line with federal ones. It is difficult to interpret this as anything other than a direct affront to the power of regional polities: that the president can simply do away with an elected official.[23] It is changes such as these that highlight what many have acknowledged as an "authoritarian turn" under Putin.[24] In what he called the "dictatorship of the law", a major impetus for reform was "to create a unified legal space in the Russian Federation." [25] As noted in the introduction, there was a considerable cleavage between federal law and regional law and between the Russian Constitution and the constitutions of republics. As soon as he arrived in power, Putin brought the Constitutional Court onto his side and within three months of the Chief Procurator calling for laws to be brought in line, over 80 per cent of regional laws had fallen alongside the federal stipulations.[26] The reliability of these statistics is questionable; however, it is clear that these reforms have had an effect. As Donna Bahry has noted, it was in fact a relic of the Soviet era – that sovereignty was predominantly defensive – that made the legal sovereignty of the regions an "easy target for recentralisation." [27]

Another more recent net effect of getting rid of regional executive elections has been, as Konitzer and Wegren note, to increase the importance of "affiliation" with Putin's – and Medvedev's – party, thus increasing the centre's own power over the regions and how regional elites relate to the centre.[28] The replacement of regional elections with direct appointment from Moscow[29] has, as Konitzer and Wegren note, largely defined "the period since 2000" as "a concerted, and largely successful, effort by the Russian central government to control regional elites." [30] United Russia, as the "party of power," they explain, "uses its party organizations to enforce the Kremlin's interests across the federation, thereby affecting the nature of contemporary federalism in Russia." [31]

With these three points in mind, it is clear that Putin's reforms have enjoyed a considerable degree of success in subordinating regional authorities to the centre. But there are a number of observations that indicate that these reforms have not been entirely effective in recentralising the power and influence of Moscow.

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The problems caused by federal reforms are primarily theoretical and, moreover, it may be too soon to tell whether they have truly succeeded or failed. But just as the successes of subordination are observable at this stage, the failures in fostering spacial uniformity are also partly visible. For example, the creation of the superdistricts has washed over ethnic and territorial cleavages that Yeltsin's asymmetrical federalism acknowledged. It is entirely possible that Putin's reforms may, in the long term, damage the "unity" he so craved. As Chebankova explains:

"If the federal structure shifts towards excessive centralisation and does not adequately reflect current socio-territorial cleavages, normative orientation of the real federal relations will invariably be headed towards diversity and creation of a looser union." [32]

In fact, Putin's reforms may have the same undermining effect that Yeltsin's had, only this time from the opposite direction. The reforms, Chebankova continues, have "created a structure that yet again failed to reflect the existent federal realities, albeit from a centralising, rather than loose decentralising, Yeltsinite angle." [33] A good example of the narrative between Yeltsin and Putin is explained through the experience of Chechnya and other separatist regions: while Putin was convinced that Yeltsin's decentralisation policy was to blame for the over-spilling of violence in Chechnya, his own reforms will do little to stem the underlying problem in that region. [34] Spacial uniformity, even in a legal sense of the term, is probably not desirable in Russia: as Mart'ianov notes, the "depoliticisation" of the regions "cannot be considered optimal or good." [35] All these things point to the notion that Putin may have gone too far; that he has, according to Cashaback, overlooked "the initial conditions which led Yeltsin to practice negotiated federalism" in the first place. [36]

As noted earlier, the reform of the Federation Council and the appointment of governors have subordinated the regions, but it has not provided a long-term context for genuinely manageable federal governance. As Hill points out, the appointment of Putin's own "emissaries or viceroys" in the place of directly elected officials "will do little to resolve Russia's long-term and deep-rooted problems in regions like the North Caucasus. It can provide a temporary fix at best." [37]

There are many other criticisms that could be levelled against Putin's reforms, though they cannot be investigated in detail here. Donna Bahry has pointed to the fact that during the Yeltsin era, the regions were not as empowered as the majority of the literature suggests, and that the relative ease with which Putin has "rolled back" their strength is evidence of this. [38] Elena Chebankova has alluded to what she calls "adaptive federalism", claiming that regions often find ways to wrest back power from the centre: she uses income, corporate property and land taxes as examples. [39] And finally, C. Ross has suggested that there are problems in the assumption that Putin's reforms were "federal" or "federalist" at all, to use King's methodological distinction. [40] Some, including Ross, have even suggested that Putin made a "mockery of federalism", and that he had "no real commitment to the principles of federalism." [41]

To conclude, it is hard to deny that these reforms have subordinated regional authorities to centralised power, though not entirely. Their effectiveness in fostering spacial uniformity has, so far, been more mixed. Chebankova explains this by referring to King's important distinction between federalism and federation, and that according to Hahn and Ross, perhaps Russia was indeed "a federation without federalism." [42] As Ross summarises:

"Putin's claim that his reforms are wholly within the ambit of the Constitution are patently absurd. His attempts to justify his reforms by stating that they are reforms of his presidential administration and not of the country remind us of Yeltsin's cynical manipulation of the Constitution and his penchant for ignoring federal laws whenever it suited him." [43]

It may be too early to tell whether or not Putin's reforms were truly successful in subordinating regional authorities to the centre, or indeed in fostering spacial uniformity. But what is certain is that the reforms emanated from the decentralisation of the Yeltsin era, and it may be fair to suggest that something resembling Putin's recentralising policies may have been necessary. What is more disputed, however, is what is best for Russia: fairness in how power is divided up, as in other federations, or sacrificing fairness for strength and coherence. It may be better to characterise Putin's reforms as acts of political management, rather than what the term "reform" usually suggests: re-

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energising policies and institutions for the public good.

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[1] See Matthew Hyde, "Putin's Federal Reforms and their Implications for Presidential Power in Russia" in *Europe-Asia Studies*, 53:5, 2001, p. 736; C. Ross, "Putin's Federal Reforms and the Consolidation of Federalism in Russia: One Step Forward, Two Steps Back!" in *Communist and Post-Communist Studies*, 36, 2003, p. 34; Andrew Konitzer and Stephen K. Wegren, "Federalism and Political Recentralization in the Russian Federation: United Russia as the Party of Power" in *The Journal of Federalism*, 36:4, 2006, p. 503

[2] Fiona Hill, *Governing Russia: Putin's Federal Dilemma*, Brookings Institution, 1 Jan 2005, p. 3: "The Kremlin became convinced that restoring Moscow's firm grip over Russia's regions was necessary to preserve national unity and public security".

[3] Putin (2000) quoted in Ross, p. 31

[4] The term "recentralisation" is perhaps more apt than "federal reform", considering what Young and Wilson characterize as the "hyper-centralisation of the Soviet regime." See John F. Young and Gary N. Wilson, "The View From Below: Local Government and Putin's Reforms" in *Europe-Asia Studies*, 59:7, 2007, 2007, p. 1071; Matthew Hyde noted that "most observers would agree that in Russia the loss of central power to the regions has gone too far" under Yeltsin. See Hyde, p. 719

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[5] Donna Bahry, "The New Federalism and the Paradoxes of Regional Sovereignty in Russia" in *Comparative Politics*, 37:2, 2005, p. 127

[6] David Cashaback, "Risky Strategies? Putin's Federal Reforms and the Accommodation of Difference in Russia" in *Journal on Ethnopolitics and Minority Issues in Europe*, 3, 2003, p. 2; also, Elena Chebankova has alluded to what she calls "adaptive federalism", namely the process by which regional polities have been able to skirt central decrees. A good example is found in 2005, when one fifth of regions "decided against implementing the monetization initiative." See Elena Chebakova, "Adaptive Federalism and Federation in Putin's Russia" in *Europe-Asia Studies*, 60:6, 2008, p. 989

[7] Konitzer and Wegren, p. 508

[8] Cashaback, p. 7

[9] Hyde, p. 723

[10] Ross, p. 34

[11] Ibid.

[12] Viktor Mart'ianov, "The Decline of Public Politics in Russia: From Public Politics to Political Administration" in *Russian Politics and Law*, 45:5, 2007, p. 69

[13] Ross, p. 35

[14] Hyde, p. 727

[15] Ross, p. 38

[16] Ibid., p. 39

[17] Hyde, p. 727

[18] Ross, p. 39

[19] Hyde, p. 730

[20] Chebankova, p. 990; Chebankova stresses how "political federalism, as a concept, is sustained by a compromise between the two normative orientations – decentralism, as seen in the demands for recognition of diversities, and centralism, reflected in the pressures towards integration and unity."

[21] Mikhail Filippov and Olga Shevtsova, "Asymmetric Bilateral Bargaining in the New Russian Federation: A Path Dependent Explanation" in *Communist and Post-Communist Studies*, 32, 1999, p. 71; Cashaback claims that such extreme decentralization was a primary concern for Putin: "The sustainability of Russia's system of negotiated and asymmetrical federalism raised a number of fundamental questions. [...] The autonomies which Boris Yeltsin established were widely considered to lead to state collapse." See Cashaback, p. 1

[22] Hyde, p. 729

[23] Ross, p. 40

[24] Gulnaz Sharafutdinova, "Why Was Democracy Lost in Russia's Regions?: Lessons from Nizhnii Novgorod" in *Communist and Post-Communist Studies*, 40, 2007, p. 364

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[25] Ross, p. 31

[26] Ross, p. 42

[27] Bahry, p. 142

[28] Konitzer and Wegren, p. 514

[29] Hill, p. 2

[30] Konitzer and Wegren, p. 503

[31] Ibid., p. 504

[32] Chebankova, p. 992

[33] Ibid., p. 993

[34] Hill, p. 3

[35] Mart'ianov, p. 68

[36] Cashaback, p. 2

[37] Hill, p. 4

[38] Bahry, p. 127

[39] Chebankova, p. 1001

[40] Ibid., p. 989

[41] Ross, p. 29

[42] Chebankova, p. 989

[43] Ross, p. 45

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