



ISSN: 2587-2621

Volume 4 Issue 2, July 2020

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Makale Gnderim Tarihi: 27.05.2020

Makale Kabul Tarihi: 27.06.2020

DOI: 10.30692/sisad.743373

RUSSIAN CONSTITUTIONAL AMENDMENTS 2020: SOCIAL STATE OR PUTIN FOREVER?

2020 Rusya Anayasa Deęiřiklięi: Sosyal Devlet mi Ebediyen Putin mi?

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Abstract: The year of 2020 was to become a triumph year for Putin. His 20th anniversary would be marked by the amendments to the Constitution and the 75th anniversary of the Soviets' Victory in the World War II. This article seeks to examine 2020 Constitutional amendments in the Russian Federation that were proposed by Putin in January 2020 and that would secure Putin's power till 2036. The author argues that in order to stay in power after 2024 election, Putin had to propose significant social guarantees to the Russian people. Direct changes in the balance of powers and presidential terms would be impossible due to the declining ratings of support for the president and government. Therefore, provisions about maternity payments, indexation of pensions and minimal wage were presented before the changes to the political system of the country. Besides, Russian citizens cannot be characterized as politically critical and active society therefore abovementioned social package would be a 'crowd pleaser'. Case study, utilized in this article, includes analysis of Putin's

speeches regarding amendments to 1993 Russian Constitution, corresponding presidential bill, legislation related to the issues introduced to the Constitution in 2020 and media coverage of those. It was complemented by the examination of the factors that led to the concrete provisions in the text as well as their outcomes for the society.

Keywords: Constitution, Amendments, Putin, Russia, Social Guarantees.

Özet: 2020 yılı Putin için zafer yılı olacaktır. 20. yılına Anayasa'da yapılan değişiklikler ve Sovyetlerin II. Dünya Savaşı'ndaki zaferinin 75. yıldönümü damga vuracaktır. Bu makale, Rusya Federasyonu'nda Ocak 2020'de Putin tarafından sunulan ve Putin'in 2036 yılına kadar iktidarını güvence altına alacak olan 2020 Anayasa değişikliklerini incelemeyi amaçlamaktadır. Yazar, 2024 seçimlerinden sonra da iktidarda kalabilmek için Putin'in Rus halkına kayda değer sosyal teminatlar sunması gerektiğini savunmaktadır. Başkana ve hükümete duyulan güven seviyesindeki azalma nedeniyle, güçler dengesi ve başkanlık dönemleri başlıklarında doğrudan değişiklikler imkânsız olacaktır. Bu nedenle, ülkenin siyasal sisteminde değişiklik yapmadan önce doğum yardımı, emekli maaşlarının ve asgari ücretin endekslenmesi ile ilgili hükümler sunulmuştur. Üstelik Rusların ülkenin siyasal sistemi hakkında çok az bilgisi vardır ve yukarıda belirtilen temel vaatler daha çekici görünmektedir. Bu makalede faydalanılan vaka çalışması, Putin'in 1993 Rusya Anayasası'nda yapılacak değişikliklere ilişkin konuşmalarının, ilgili başkanlık tasarısının, 2020'de Anayasa ile ilgili konulara ilişkin mevzuatın analizlerini ve bunların medyada nasıl yer aldığı içermektedir. Metinde somut hükümlere yol açan faktörlerin yanı sıra toplum için sonuçlarının incelenmesi ile tamamlanmıştır.

Anahtar Kelimeler: Anayasa, Değişiklik, Putin, Rusya, Sosyal Teminat.

INTRODUCTION

On January 15, 2020, Russian President Vladimir Putin delivered his annual address to the parliament. In the annual address that had become traditional since 1993, Vladimir Putin presented his package of the amendments to the constitution that would enforce parliament in contrast to the executive branch of power. Also, he mapped the acutest issues in Russian society and proposed measures to make Russia a social state.

Debates about the future of Russian political system and particularly about the possible place of the President Vladimir Putin in the system after 2024 have dominated Russian society recently. Within last 20 years that he is in power, former KGB officer Vladimir Vladimirovich Putin has built a strong power vertical in Russia and did not seem to give his post up after the upcoming 2024 election. Putin came to power in August 1999 as a Prime Minister of Russia. Later, in December 1999, during New Year address to the citizens, former President Boris Yeltsin announced Putin as his successor. Putin was officially elected as a new president in May 2000 and the *United Russia* Party was created to support him. Still, this party controls Russian parliament but is void of any ideology and can only be characterized as a pro-Putin party. In 2000, Putin obtained a country in crisis. Russian Federation (RF) was falling apart because of the regional separatisms, weak central power, economic deterioration, and weak national idea. While Putin's first term was devoted to these issues, the second term became the period when the President strengthened his power. In 2008, since it was impossible to occupy the same post for more than two consequent terms, he introduced a figure of Dmitry Medvedev (First Deputy Prime Minister since 2005) who was elected as a president the same year. Correspondingly, in 2008, presidential term was raised from 4 to 6 years. Besides, Georgian war of 2008 showed the Northern Alliance the priority of near abroad in the Russian foreign policy. Putin developed relations with diaspora among others through the introduction of the Russian World based on Russian language and Orthodoxy and also improved relations with the Russian Orthodox Church (ROC). Particularly, after the death of Patriarch Alexiy II, when Kirill Gundayev headed ROC, new possibilities for developing conservative ideology in Russia emerged. As a president, Putin came back in 2012. Period of 2012 – 2018 is famous for annexation of Crimea and war in Eastern Ukraine when Russia not only supported Donbas separatists but also involved in the conflict through hybrid war tactics. Annexation of Crimea that was considered by ordinary Russians as a traditionally Russian territory seized from Ottomans in 1783 and illegally transferred to Ukrainian SSR in 1954 boosted

ratings of the President. During 2018 election, there was no significant opposition candidate insofar as Aleksey Navalny could not even register himself for the election while Kseniya Sobchak was too weak and associated with show business and her father rather than with the state leadership. According to the 1993 Constitution, two consequent terms of the presidency would end in 2024. That means changes to Russian political system.

This article seeks to examine Constitutional amendments proposed by Vladimir Putin in January 2020. Author concentrates on the social package that was called to be a smokescreen for the changes in the terms of the President. This article problematizes inability of Putin to modify Constitution in order to secure his power without proposing certain social guarantees to the people. Those changes would be too obvious usurpation of power. Putin had not received enough credit from the people for such radical change: rating of support for Putin in December 2019 was 68%, compared to 86% in December 2014, for instance. (Levada-Center, 2020a). In March 2020, it dropped by 5 points more and reached 63. Mass rallies of 2011 – 2012 and later after the annexation of Crimea could happen again and this fear does not allow Kremlin to manipulate the Constitution vividly. On the other hand, in case of the failure of the plan for cancelation of the previous terms, Putin would have needed extra plan probably related to the State Council. It is an underdeveloped structure and Russians have very little knowledge about it, as the surveys show. Therefore, it is argued that in order to prolong his grip on power, Vladimir Putin had to present serious social guarantees to the people. On the one hand, this would divert people's attention from the unlimited power of the President now written in the Constitution. At the same time, this will show ability of the President to satisfy needs and demands of the citizens whose main request is social welfare. Also, it is shown that despite the presence of the demands to re-define Russian nation, Putin prefers pragmatic approach and is rather cautious about radical changes since they can open the way to the collapse of federal system.

This article is a case study of the Constitutional amendments. Case study includes analysis of Putin's speech on January 15 and amendments to 1993 Russian Constitution. Also, legislation related to the issues introduced to the Constitution in 2020 and media coverage of those issues were studied. Finally, factors that led to the concrete provisions in the text as well as their outcomes for the society were examined. Author starts by introducing clauses on the amendments and the history of the amendments to the Russian constitution. Then, the author analyzes the issues of the World War II in the Constitution, conservative ideology and social state followed by the study of the national and language issues. Finally, the article sheds the light on the provisions about the presidential powers and balance of powers. The discussion of referendum and public attitudes towards the changes is followed by the concluding remarks.

1. AMENDMENTS TO THE CONSTITUTION

Chapter 9 of the 1993 Constitution defines the ways it can be amended as it is discussed below.

1.1. Constitutional Provisions

According to Article 134, Amendments to the Constitution of the Russian Federation may be proposed by the President, upper house of the parliament Federation Council, lower house State Duma, Cabinet, regional legislatures or the group that consists of not less than one fifth of any house. Constitution can be changed through the presidential decree, federal constitutional law or law of the RF on the amendments (Article 134).

The key provisions of the Constitution — basis of the constitutional system (chapter 1) as well as human and civil rights and freedoms (chapter 2) and the principles for changing the constitution (Chapter 9) – cannot be revised by the Federal Assembly. If their change is supported by three fifths

of the total number of State Duma and Federation Council members, the Constitutional Assembly is convened. It must decide whether to maintain the current fundamental law or draft a new Constitution. New Constitution can be adopted by the Constitutional Assembly itself, i.e. by two-thirds of the votes of the total number of the delegates or may be put to a popular vote. In the latter case, the Constitution is considered adopted if it was supported by more than half of those who participated in the vote. Besides, turnout should not be less than 50%. (Article 135). Amendments related to the federal structure, executive, legislative, judicial authorities, and local self-government are adopted by the law on amendments to the Constitution and enter into force after their approval by the legislative authorities of at least two-thirds of the constituent entities of the Russian Federation (Article 136).

1.2. History of the Amendments to the Constitution

Since 1993, Russian Constitution has been amended on the following occasions. The first decree of Boris Yeltsin adopted in 1996 was to correct the names of two republics that are Ingushetia and North Ossetia – Alania. Later, most of the amendments have been related to this article. Particularly, in 2014, it acknowledged inclusion of Crimea and Sevastopol. Besides, in 2008, the term of the president was increased from 4 to 6 years (Article 81, part 1). This was the consequence of the successful war in Georgia when rating of President Medvedev and government chaired by Putin increased (Levada-Center, 2020a). Georgian war proved the ability of Russia to protect its sphere of interest and particularly Russian speakers in the near abroad under the risk of NATO enlargement. Correspondingly, the same year the term of the State Duma was raised from 4 to 5 years (Article 96, part 1). The Fifth Russian Duma of 2007 – 2011 was on 70% controlled by the United Russia Party.

On February 5, 2014, an amendment related to the liquidation of the Supreme Arbitration Court and the transfer of its powers to the Supreme Court of the Russian Federation was introduced to the Constitution. (Article 126). In addition, the powers of the president on personnel appointments in the prosecutor's office were expanded. Since 2014, president has been able to appoint deputy general prosecutors, prosecutors of constituent entities of the Russian Federation, etc. (Article 83, e.1.) On July 21, 2014, President of the Russian Federation received the right to directly appoint up to 10% of the members of the Federation Council of Russia by his decree. (Article 95. Part 2). So, one can trace consequent usurpation of power by the Russian president through the constitutional amendments.

2. ANNUAL ADDRESS OF THE PRESIDENT

As to the annual addresses, this practice was introduced by the 1993 Constitution of the Russian Federation, where Article 84 stated that "the President of the Russian Federation shall: address the Federal Assembly with annual messages on the situation in the country, on the guidelines of the internal and foreign policy of the State" (Article 84). Accordingly, the first presidential address was delivered by Boris Yeltsin in 1994. Traditionally, both houses of the Russian parliament, Federal Council (upper) and State Duma (lower) attend the event.

In January 2020 address, along with the changes to the political system few key issues were mapped by the president. Among them one can name decreasing birth rates, minimal wage and indexation of the pensions, depopulation of the Russian Far East and attempts of the Western leaders to revise the history of the WWII. The latter topic is particularly important since in 2020 Russia celebrated the 75th anniversary of the victory. In his speech, Putin referred to Russia as a winner state and underlined the need to protect 'historical truth'.

3. WORLD WAR II AND THE ROLE OF RUSSIA

By adding to the Constitution provision about the winner state, Russia declared its right to preserve the truth about the WWII. Taking into consideration White House's (2020) statement about joint victory of the US and UK in the World War II, 2020, Russia's constitutional provision is a reply to the attempts of the Western leaders to revise history of the WWII. The reply is prepared, first of all, for Russian citizens. Depriving Russians of the winner status may deprive them of the common history, victory that secures unity of the multinational state.

Following the Crimean Spring, ratings of support for Putin increased drastically. According to Levada Center, it reached 86% in June 2014. To compare, it had been falling since 2008 Georgian War and in January 2014 reached about 60%. ("Levada": rejting Putina", 2020). Briefly speaking, by annexing the peninsula, Putin made 'Russia great again' for more than 140 million Russians. This allowed Kremlin to upgrade its discourse on the winner state. Three narratives can be pointed out in this regard. The first or the newest one was the victory in the Crimean Spring. Russian civilizational rhetoric of *KrymNash* (Crimea Is Ours) was particularly popular immediately after the 2014 referendum on the status of Crimea. (Nikoliuk, 2016: p.411). It rather explained regaining of the region which was traditionally perceived as Russian and was illegally transferred to Ukraine by Khrushchev in 1954. So, it was rhetoric manifesting the reestablishment of justice. Also, *KrymNash* ideology proclaimed the victory of Russia over the Ukrainian nationalists (*ukropy*) or 'junta' (Skorkin, 2019) that allegedly violated the rights of the Russian speakers in Crimea by abrogating the regional languages law of 2012. At the same time, to cement the peaceful nature of the annexation in the collective memory the monuments to 'polite people' or Russian soldiers that completed peaceful occupation were installed in Crimean cities and towns. (Smirnov, 2016).

The second narrative is not very new but still remains important insofar as it has been used by Russia as a bridge that would bring Russia closer to the West. This is the topic of the war on terrorism in Syria where victories have been rather episodic, and the main achievement is the inability of opposition to seize power from Assad. In September 2015, speaking in the UN, Putin proposed Western community a deal over Syria. (Notte, 2016: 70). That would repeat the scheme of early 2000s when the improvements in the Russian - American relations was noted due to the common threat of terrorism.

Unlike previous two narratives, the third one is related to the victory of the USSR in the World War II and therefore has been a holy theme in the post-Soviet mindset. The mobilizing potential of this narrative could be used endlessly, first of all for the sake of nation building. In the country of 145 million people with the representatives of different nationalities and ethnic groups as well as confessions victory in the World War II is a strong unifying factor carefully supported and nourished by Kremlin. Even despite the quarantine that impeded mass celebrations of 9 May in Moscow and other cities, military parade was organized on the Red Square. Also, online events were held in Russia and through the *Rossotrudnichestvo* offices – abroad.

Referendum on amendments to the Constitution coincided with the 75th anniversary of the victory in the WWII and therefore it could become a good chance to introduce new article into the main law. On the other hand, Russia keeps reminding European countries about Soviets' contribution to the victory over Nazism. In this way it responds to the attempts of the White House and European leaders, first of all Poland, to revise the history of the WWII and make Russia responsible for its launching. Particularly Kremlin's efforts could be seen in Putin's proposal to settle down global insecurities through the summit of the five permanent members of the UN Security Council that was supported by French President Macron ("Putin calls for summit", 2020). Furthermore, during Munich security conference Foreign Minister Lavrov repeated President's proposal (The Ministry of Foreign Affairs,

2020). Russia's statements as to the Polish version of the WWII (Malic, 2020) and protection of the Soviet officer's monument in Czech Republic ("Russia opens criminal case", 2020) or Soviet soldiers' cemetery in Bulgaria ("Posol'stvo v Bolgarii vozmutilos", 2020) demonstrate how Russia tends to control its version of Russia (USSR)'s role in the victory and how it is eager to protect it. Article 67 of the new Constitution also recognizes Russia an assignee of the USSR (Article 67.1, 1). This provision allows Russia usurping memory of the WWII on behalf of the former Soviet Union republics. Besides, Russia's proposal about special format may remind the West about success of their joint efforts in fighting enemy. Abovementioned material culture pieces are also used by Russia as border stones that map the region of particular interest for Kremlin and are the reminders of the Russian presence there. Therefore, in his 15 January address Putin once again mentioned the responsibility of the winner states that possess nuclear weapons to secure peace in the world. His emphasis on the openness to collaboration with the interested countries also points out at the cooperative and friendly nature of the Russian foreign policy but also remind about readiness of Kremlin to defend. (Poslanie Prezidenta Federal'nomu, 2020).

In his 2020 address, Putin underlined the duty of Russia to protect historical truth in the face of the spreading 'insolent' lies. As Putin set it forth, it is an obligation of Russia as a winner state and is for the sake of the young generations:

We are obliged to defend the truth about the Victory, otherwise what shall we say to our children if a lie, like an infection, spreads all over the world? We must contrast the facts to the insolent lies or attempts to rewrite history. In Russia, the largest and most complete set of archival documents, films and photo materials on the Second World War accessible to both our citizens and the whole world will be created. Such work is our duty as a winning country and responsibility to future generations. (Poslanie Prezidenta Federal'nomu, 2020).

The corresponding amendment to the Constitution says that "the Russian Federation honors the memory of the defenders of the Fatherland, ensures the protection of historical truth. Diminishing the significance of the feat of the people in the defense of the Fatherland is not allowed". (Poslanie Prezidenta Federal'nomu, 2020). Earlier, in May 2014, the first step was made. So called 'Yarovaya law' is directed against those who "spread information on military and memorial commemorative dates related to Russia's defense that is clearly disrespectful of society" or who "spread intentionally false information about the Soviet Union's activities during World War II." (Sokolov, 2014). Possible punishment would be large fines and up to five year of prison. Constitutional status of the winner state not only makes Putin a protector of the historical truth for the former USSR but also makes him a leader that values conservative principles and older generations. That is supported by the annual tradition of the 'immortal regiment' when the younger generations march the streets of their cities with the photos of their grandfathers that fought in the WWII. On the other hand, this a suitable moment to mobilize population of Russia and draw attention of its citizens away from, first of all, assault on democracy and human rights that the new Constitution bears. In order to avoid cancellation of the Victory Day celebration due to the COVID-19 pandemic, Putin announced postponement of the mass events from 9 May till 3 September. ("Prezident ob'javil o perenose", 2020).

4. CONSERVATIVE IDEOLOGY IN THE CONSTITUTION

Apart from the protection of the historical truth and memory about grandfathers, one can trace two other main expressions of the Russian neo-conservatism in the Russian constitution. The first one concerns family issues, while the second is the mentioning of God in the Russian Constitution. Although new Constitution proclaims Russia a secular state, upon the proposition of Putin the following amendment was added:

The Russian Federation, united by a thousand-year history, preserving the memory of the ancestors who transmitted to us ideals and faith in God, as well as the continuity in the development of the Russian state, recognizes the historically established state unity,

says the amendment (Article 67).

Putin has long lasting relations, so called 'symphony of powers' (Demydova, 2019: p.254), with the Russian Orthodox Church and this amendment is aimed at strengthening position of the one. Patriarch Kirill was sitting in the front row during the 15 January address of Putin. Starting from the year of 2008 when he chaired ROC, Church received serious concessions, properties and even the law that protects the feelings of the believers. Church is also an important actor in the affairs of diaspora. It is active in public diplomacy and following the cancellation of the relations with Constantinople Patriarchy is a sole supreme body for the Orthodox Russians. That is why inclusion of God into the Constitution is gratitude of the Russian government.

Another example of traditionalism in the amended Constitution is the article on family (Article 67). It defined marriage as a union of a man and a woman. In this way, same sex marriages have no prospects for future in Russia. LGBT propaganda was prohibited in Russia in 2013 through the Law "On the Protection of Children from Information Harmful to Their Health and Development ". The author of the bill, chair of the Duma's Committee on Family, Women, and Children Yelena Mizulina argued that 'traditional' relations between a man and a woman required special protection under the Russian law. ("Elena Mizulina o zaprete", 2013) Traditional family values were protected through the institution of ROC that introduced classes into the school syllabi. New Constitution cemented the conservative, traditional and homophobic nature of Russia and now the Government of the Russian Federation "ensures the implementation in the Russian Federation of a unified socially oriented state policy in the field of preservation of traditional family values" (Article 114, part 1, point B). There was a clear demographic need for these policies: decreasing birth rates posed a serious threat. However, through the amendment on the nature of the family, private affairs are being transferred to the public sphere.

Patriotism was also fixed in the Constitution. Thus, state official cannot have bank accounts anywhere but in Russian banks. They also are prohibited from having the second citizenship or residence permit (Article 77, part 2; Article 78, part 5). Though this was done to prevent opposition from participating the election for the sake of Conservative ideology it also looks attractive in the ordinary minds.

5. SOCIAL STATE

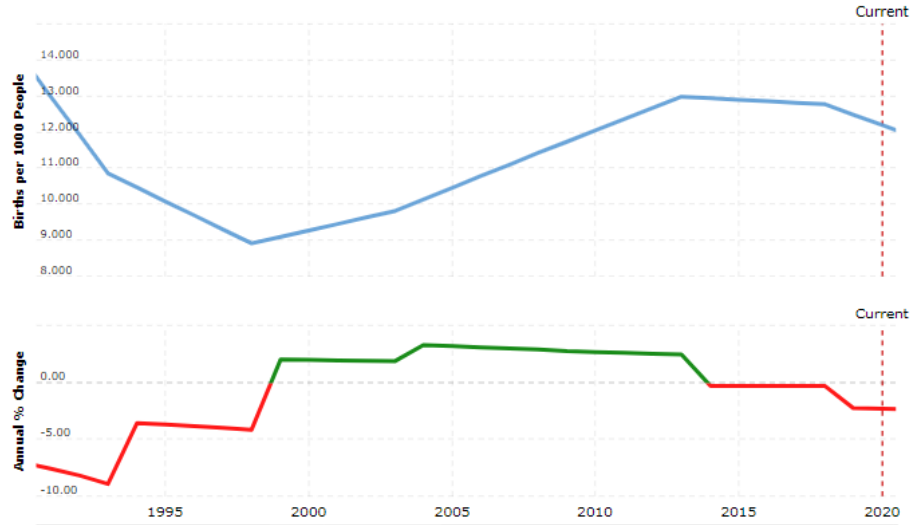
As it was mentioned earlier in this article, by January 2020, demography became one of the key issues. Taking into consideration low birth rates in Russia, president proposed the increase in maternity payments for different categories of citizens. Particularly, the payment for the first child is now equal to 466 thousand rubles¹, for the second – 616 thousand rubles. Another call of the president was the social contract. Putin also mentioned the mortgage interest rate as a measure to support young families. ("Poslanie Prezidenta Federal'nomu", 2020). Reference to the Soviet Union was made. Discussing lunches for pupils in the schools Putin drew attention to the fact that even in the USSR there was no infrastructure for such social provisions. (*Ibid.*).

1998 was the year of the lowest birth rate in the post-Soviet years when 8.912 births per 1000 people were recorded. The birth rate in Russia started to grow steadily in 1998. It was growing till 2013 and set a record of 12.91. However, birth rate started to fall again. The birth rate for Russia in 2019 was 12.482 births per 1000 people; a 2.26% decline compared to 2018 can be traced. The birth rate for

¹ 1 USD equals 61 rubles (as of 15 January, 2020)

Russia in 2018 was 12.770 births per 1000 people, that is a 0.33% decline from 2017. (Macrotrends, 2020).

Tab.1. Birth rates in Russia, 1990 - 2020



Source: Macrotrends, 2020.

New Constitution proclaims children the most important state policy priority in Russia. Correspondingly, “the state creates conditions conducive to the comprehensive spiritual, moral, intellectual and physical development of children, the education of patriotism, citizenship and respect for elders in them” (Article 67.1, part 4). Besides, during the COVID-2020 pandemic in Russia, Putin introduced few more social payments to the families with children (Cordell, 2020). Under these conditions, in case of referendum on the amendments conducted right after the end of quarantine state he has a chance to obtain serious support because his staying in power till 2036 will mean social security for the population.

Furthermore, new Constitution defined that minimal wage cannot be lower than the living wage (Article 75, part 5). The same article promises social security payments and pension system that would support elderly Russians and emphasizes annual indexation of the pensions. The latter provision obtained the highest support of Russians according to the surveys discussed below. Both provisions would be particularly useful during pandemic COVID-19. Discussed above policies were also important as a smokescreen in order to divert public attention from the issue of the unlimited power of Putin. Discussion of the amendments by the working group was made public. In order to gain legitimacy recognizable celebrities were engaged into the public discussions.

6. NATIONAL AND LANGUAGE ISSUES

In the new version of the Russian Constitution, Russian language is defined as the “language of a state-forming nation that is part of the multinational union of equal peoples of the Russian Federation” (Article 68, part 1). Issue of the Russian language is closely connected to the issue of the nation building and particularly, definition of the Russian nation. This question was answered through the 1993 Constitution. Then, nation was defined as ‘multinational union of equal peoples’ (Article 2) and opened the way to the regional separatisms. Different actors made attempts to re-define nation.

However, the real work has been done only in including the Russian speakers abroad into the definition of the Russian nation since it was a demand of the foreign policy considerations.

Thus, regarding definition of the Russian nation in the new Constitution, different opinions and groups emerged in Russia. (Garifullin, 2020). Thus, according to the words of the Tatarstan State Council Chairman Farid Mukhametshin, the preamble of the Constitution would be changed by writing simply 'Russia' instead of the term 'Russian Federation' in it. But this is transforming a country from a multinational federal into a Russian national state. In reinforcing these intentions, Russian Academy of Science member Valery Tishkov suggested including a clause on the Russian nation in the number of amendments, changing the second article of the current Constitution. Namely: the concept of 'multinational people' should be replaced by 'multi-people Russian nation'. This idea was immediately supported by a deputy of the State Duma, chairman of the Committee on Education and Science, Vyacheslav Nikonov. ("Put' demontazha federalizma", 2020). Opinion of Tishkov is the strongest as he is not only an academician but also a member of the Public Chamber. Thus, on his Facebook page, he asks Konstantin Zatulin, first deputy chairman of the Committee of the State Duma for the Commonwealth of the Independent States (CIS) and Relations with Russian Nationals Abroad, a question about the nature of the Russian nation. That is

Are we going to expand Russian (*russkoe*)² to the Russian (*rossijskoe*)³ without harm for Russianness (*russkost*)⁴ or are we going to narrow down all others to Russian (*russkij*)⁵ or former Great Russian? (Tishkov, 2020).

Tishkov suggests that the neglect of the interests of different nations – parts of the Russian Federation may lead to serious conflicts. However, by introducing the concept of the 'multi-people Russian nation' he deprives nations of the Russian Federation their right to form national republics insofar as he levels down their status from nation that has potential to form statehood to *ethnos* or ethnic group. Therefore, substitution of the 'multinational people' concept with the 'multi-people Russian nation' means a change in the structure of the Russian state.

The concept of Russian nation existing in the 1993 Constitution assumes that Russia consists not only of entities, but also of internal states and republics. Definition promoted by Nikonov and Tishkov suggests that the population of the republics and the subject/ federal unit are the same. This is an attempt to politically minimize the presence of such entities as republics, that is, internal states, internal nations organized as a state. This formula suggests that those amendments to the Constitution are a further setback from federalism in Russia. This cannot be supported by the Russian republics in any way, because, according to the Constitution, these republics are states. In the final draft of the Constitution, the Preamble part still refers to Russian citizens as multinational people. Obviously, the law makers could not afford to change this part being afraid of the national republics and separatist movements. To support the unity of the state, Article 76 of the Constitution proclaims that the "Russian Federation protects its sovereignty and territorial integrity. Actions aimed at alienating part of the territory of the Russian Federation, as well as calls for such actions, are not allowed" (Article 67, 2.1.).

Furthermore, the same chapter of the Constitution that defines federal structure of Russia now includes provisions about God, protection of the historical truth and protection of children (Article 71.1, parts 2, 3, 4). The incorporation of these provisions is very illogical and ruins the structure and flow of the document's text.

² Ethnic Russian

³ Civic or state Russian

⁴ Ethnic Russian nature; essence; Russianness

⁵ Ethnic Russian

Compatriots are now mentioned in the constitution. Article 69 now says that “the Russian Federation provides support to compatriots living abroad in the exercise of their rights, ensuring the protection of their interests and preserving the all-Russian cultural identity”. Russian Federation has been implementing foreign policy regarding compatriots. Starting from 1990s, compatriots are the matter of debates among different political groups in Russia. Vera Tolz (1998) mentions five different projects as to the Russian nation (Tolz, 1998: p. 995 - 996). However, Yeltsin was not very determined on the issue and Putin did much more in this regard compared to Yeltsin. In Russia, the concept of ‘compatriot’ was made a legal status in 1999 and is regulated by the Federal Law “On the State Policy of the Russian Federation with Respect to Compatriots Abroad”. (1999). Traditionally, Putin get higher support among compatriots during the election. For example, the results of 2018 election in favor of Putin constituted 85% abroad compared to 76.69% of results in Russia. (Vybory, referendumy i inye formy, 2020). However, one should note significant change in the nature of compatriots. If in 1990s these were people residing outside of actual Russia on the moment of the USSR’s break-up, in 2010s compatriots are the people escaping from Russia. Compatriots is the important part not only for the nation-building but also for the public diplomacy goals. They bear the potential to soften position of the West on Russia’s aggressive foreign policy and together with the Russian language, culture and ROC aim at changing the image of Russia abroad.

7. HYPER POWER OF THE PRESIDENT

From the initial address of the president, possible changes in the separation of branches and balance of powers were unclear. At first, Putin proposed to introduce the article about State Council. New amendments say that the president forms the State Council in order to ensure the coordinated functioning and interaction of state authorities, to determine the main directions of domestic and foreign policy of Russia and priority directions of the socio-economic development of the state. (Article 82, e.5). In the same address, Putin granted State Duma the right to approve chairman of the government, as well as all his deputies and federal ministers upon his recommendation. Now, president can appoint the heads of all law enforcement agencies and regional prosecutors following the consultation with the Federation Council. Under the 1993 Constitution, regional prosecutors are appointed by the president without consulting the Federation Council. (Article 82, e).

It was proposed to remove the words ‘in a row’ from the constitutional restriction on the terms of the president, which allowed the same person to occupy the presidential term for more than two terms, provided that only the number of consecutive terms should not be more than two. Putin also proposed to give the Constitutional Court the right to verify the constitutionality of bills before they are signed at the request of the president. This was particularly important from the perspective of public approval of Tereshkova’s proposal by the Constitutional Court. However, the Federation Council obtained the right to remove the judges of the Constitutional and Supreme Courts from office if they commit misconduct that defames honor and dignity and if it is impossible to maintain the status of a judge. (Article 102, part 1.zh) Recommendation of president would be enough.

From the 15 January speech it was unclear how Putin is going to prolong his grip on power after 2024. Russian president decided to expand the role of the State Council, consultative body established in 2000 by the decree of the President (Ukaz Prezidenta Rossijskoj Federacii, 2000), just as Nursultan Nazarbayev, shortly before his resignation from the presidency of Kazakhstan, strengthened the powers of the Security Council. (“Kazakhstan: Nazarbayev takes back”, 2019). In addition, Nazarbayev leads the ruling Nur-Otan party, and his role as ‘leader of the nation’ (*elbasy*) is enshrined in the constitution of this country. In Kazakhstan, therefore, two elite teams have formed and certain cleavages exist between them. Initially, it looked like Putin is going to chair State Council after 2024. On the other hand, if the Kazakhstan model is preferred Putin could have chosen the post of the

Security Council chairperson. Another possibility was that Putin would try to pursue the idea of the unification with Belarus. In this case, the presidential term in the new state will not consider previous terms in Russia. However, under such conditions Putin would have to collaborate with Lukashenko, leader of Belarus. As it can be seen from the previous 20 years of Putin's presidency he has no desire to work with another strong leader.

In consonance with the amendments to the Constitution, the powers of the president have been extended. The detailed analysis of these changes is provided below. Firstly, Russian president has the right now to dismiss the Prime Minister from his post (Article 83, a). Before, the Prime Minister could resign. Now this is still active provision while the president can reject the resignation (Article 117). Now, the Prime Minister only organizes the work of the government according to the decisions of the President (Article 113). Compared to the previous version, this is a serious change insofar as before Russian Prime Minister had the power to determine the main directions of the government's work. The head of the government was also changed: instead of Dmitry Medvedev Putin appointed Mishustin, the former head of the federal tax service. He is known for introduction of the online tax system in the Russian Federation. The powers of the Prime Minister were also limited in the sphere of appointment and dismissal of the ministers (Article 112). Before, the Prime Minister's suggestion was important. According to the new Constitution, President can do it on his own. The State Duma can partially approve the ministers. Article 109 allows President to dismiss State Duma if it does not approve presidential appointees. In this case, the ministers will be appointed by the president upon the suggestion of the Prime Minister. President can also guide the work of the executive federal organs including Cabinet without interference by the Government (Article 83).

President received the immunity even after the end of his term (Article 92, part 1). He may be deprived of this status through the decision of the Federation Council upon the charges issued by Duma and supported by the Supreme Court. The charges should include accusation of state treason or other serious crime and should be complemented by the decision of the Constitutional Court (Article 93, part 1). However, even in this case president remains the lifelong senator and the member of the Federation Council (Article 95, part 2, b) and can also decide on the issue of the former president's immunity (Article 93, part 1). At the same time, senators also have immunity (Article 98, part 1). To sum up, to lift the immunity of the president means to deprive him of the immunity twice as a president and as a member of the upper house of the parliament.

As stated in the acting Constitution of 1993, president has the right to appoint up to 10% of the senators that means up to 17 positions. The term of their work is limited by the term of the corresponding federal unit's organ. New Constitution proposed to increase the amount of the senators appointed by the president up to 30. At the same time, they do not have to represent federation units' organs of power. Up to 7 members of the Federation Council may be appointed lifelong (Article 95, part 2, c). The danger of this amendment is in the following. Upper house of the Russian parliament should act independently from the president. The only way he can affect decision making is when both houses of the Russian parliament could not reach 2/3 of the votes. Under such conditions the president may reject the bill. Under new amendments, president's impact over the Federation Council is increasing: he can dismiss the half of the Senate coming from the executive branches of the federal units (Article 95, part 2.a). This is possible due to the article that pronounces the federal executive organs and the organs of the executive branch of the units form the sole system (Federal'nyj zakon, 1999: Article 1, b).

In the legislation, president has the right to apply for the expertise of the law to the Constitutional Law. In this case, he may postpone signing the document until the decision of the Constitutional Court. If the Constitutional Court announces the constitutionality of the bill, president has to sign it within three days. Otherwise, the bill may be sent back to the State Duma without signing. (Article 107, b).

Finally, Article 81 lifted the limits on the number of the presidential terms a person can be elected for (Article 81, part 3.1). However, the same article says that since the moment Constitution enters into force the person cannot occupy more than two terms (Article 81, part 3). Furthermore, in order to become a president a person has to live in Russia for 25 years continually. This measure allows Putin to block Khodorkovsky and Navalny as possible candidates in the future elections.

On January 15, 2020, a working group on the amendments to the Constitution composing of 75 people was formed. Its main goal was to prepare proposals for amending the Constitution of the Russian Federation. Members of the group included politicians, social activists, political scientists, lawyers and academicians. Also, the first woman in the space Valentina Tereshkova, famous filmmaker Karen Shakhnazarov, sportswomen Elena Isinbaeva and Irina Rodnina, pro-Putin journalist Vladimir Solovyov, writer Yevgeniy Prilepin, actor and producer Vladimir Mashkov known for 2011 Mission Impossible – Ghost Protocol and others participated in molding the new Constitution. (“Obrazovana rabochaja gruppа”, 2020). The main idea of this ‘celebrity’ working group was to attach the public and transparent character to the process of discussion and draw attention away from Putin’s actual goal that is to get unlimited power. Participation of not simple artists or singers, but mature, well-known veterans of culture, sport and science was initiated in order to make people concentrate on the process of molding the new Constitution and achievements of the state. The legitimacy gained through these people should persuade Russians that so many honorable people cannot make bad choice. At the same time this would divert attention of the Russian citizens from the further usurpation of power by Putin.

During the second reading of the Constitutional amendments in the parliament, former Soviet Union cosmonaut and the first woman in space Valentina Tereshkova made proposal to cancel the previous terms of Putin’s presidency. (“Putin paves way”, 2020). First of all, one should answer the question why she was chosen for this role? Valentina Tereshkova is known as the first woman in space. She completed her mission in June 1963 in the spaceship Vostok-6. Her political activism started in 1960s: in 1962, she was accepted to the Communist Party of the Soviet Union. Later, after the dissolution of the USSR, she occupied the position of the chair at the International Cooperation Center. In 2011, she was elected to the State Duma from Putin’s United Russia party. She is known as an active lawmaker: particularly, the law raising retirement age in Russia was introduced by Tereshkova in 2018. That law produced serious debates in Russian society. At the same time, Tereshkova is known for her speech in 1977 when she asked Secretary General Leonid Brezhnev to stay in power. (“Valentina Tereshkova”, 2020).

Another important mission Tereshkova was needed for is the Russian national brand where space research plays important role. In 1961, the USSR launched not only Gagarin’s Vostok spaceship but also a space race. For more than 60 years the space programs have remained one of the strongest sides of the Russian science and technologies while cooperation in this sphere is useful for the soft power goals. Tereshkova as the first female in the space is a good reminder of the Russian (or Soviet) strength.

Putin agreed on Tereshkova’s proposal to cancel previous presidential terms only if the Constitutional Court would approve the decision. In the second reading, 382 members of Duma voted for amendments, nobody voted against and 44 members abstained. Communist Party fraction of 43 deputies abstained. (“Russian Lawmakers OK”, 2020). The next day, the final third reading was held, according to the results of which 383 deputies supported the draft while the same 43 MPs abstained. (“Russian parliament approves,” 2020). Immediately after, the Federation Council supported the amendments. (“Russia's Federation Council”, 2020). Legislative assemblies of all regions of the country (minimum required - $\frac{2}{3}$ of the subjects) also approved the proposed changes. (“All Russian Regions”, 2020). On March 14, 2020, the president, by signing the law on amendments, sent a request

to the Constitutional Court to verify them. On March 16, the body issued an approving decision. (“Russia's Constitutional Court”, 2020).

Unlike 1993 Constitution, the 2020 version was approved smoothly and univocally. This shows how within 27 years, political system of Russia cemented and purified itself from the opposition and liberal voices. In 1993, Boris Yeltsin had to use military force against the parliament that opposed strengthening the executive branch. Control of the 76% of State Duma by the United Russia Party made it possible to adopt changes without any voice against it. Moreover, Prime Minister Dmitry Medvedev was fired just before the annual address. (“Russian government quits”, 2020). New Prime Minister Mishustin is known as a former head of the Federal Tax Service. (“Mikhail Mishustin appointed”, 2020). Technocrat Mishustin appeared to be a surprise for the elites. Nevertheless, expert on Russian elites Tatyana Stanovaya (2000) does not consider him politically weak. Mishustin, unlike Medvedev, managed to secure the appointment of four out of nine ‘his’ deputies Dmitry Grigorenko, Victoria Abramchenko, Alexey Overchuk and Dmitry Chernyshenko. He received Putin’s personal blessing to solve politically significant problems. His government looks more consolidated and capable. However, Mishustin cannot be considered a political prime minister: the lack of experience in public politics, his own agenda, ambitions and ideology do not allow him to be transferred to the category of politicians. Stanovaya points at the large intra-elite split between the increasingly technocratic civic part of the elite, that is, those who are forced to remain politically neutral, but continue to be responsible for the modernization of the state, and conservatively, anti-Western guards, occupying the vacuum of scorched public policy. (Stanovaya, 2020). Former Prime Minister Medvedev was appointed a Deputy Chair of the Security Council, position established by Putin the day after 15 January address. It is obvious that Putin decided to mold a government that would be totally responsible and dependent on the president till 2024. After the amendments enter into the force, Putin will have to collaborate with the government approved by Duma. At the same time, Mishustin government will act till 2021 election and is interim insofar as new Duma should form new Cabinet after the election.

8. REFERENDUM AND PUBLIC SUPPORT FOR THE AMENDMENTS

Public voting on the amendments is to be a package voting. In this way, it is impossible to approve amendments on social guarantees while reject political amendments. Definitely, this system is very convenient for the President Putin. Initial date of the referendum on amendments was scheduled for April 22. (Hoke, 2020). Being a Wednesday, it was a symbolic day because of Vladimir Lenin’s birthday. Besides, it was scheduled between two religious events: Orthodox Easter was celebrated on April 19, while the first date of the Muslim Great Feast Ramadan is 24 April. It was planned to announce April 22 a paid holiday. In this way people would not be able to escape from cities on weekend and have to attend the referendum. Due to the spread of Covid-19 pandemic, on March 25 Putin announced postponing of the referendum. (“Kremlin Mulls Date”, 2020). On the one hand, rescheduling the referendum let him avoid low turnout. What is more important, rescheduling the referendum would allow Putin to demonstrate how effective he and his government are in the fight with the global pandemic and in this way gain support of the people.

As to the public support for the changes, the following results of the surveys may demonstrate people’s attitudes towards amendments. According to Levada Center survey conducted on April 20, 47% of the participants would support the amendments while 31% would vote against it. (Levada-Center, 2020d). Compared to 20 March survey that was conducted ten days after the Tereshkova’s proposal, the support of the amendments increased. In March, 40% of the people would support changes while 34% would vote against. (Levada-Center, 2020c). In the end of the January, nevertheless the support for the presidential proposal was much higher. Thus, according to the same

Levada Center, 72% of the participants said they would support the draft. As the same survey suggest, people rather vote for the social package presented by Putin. Thus, 92% would vote for regular pension indexation while 83% would support the minimal wage provision in the Constitution. At the same time, ban on more than two consequent terms for the president was supported by 64% of the participants on 31 January, 2020. (“Rossijane odobrajut popravki”, 2020). Carnegie Moscow Center expert Andrei Kolesnikov suggests that changes in the social sphere are the main request, people want the Constitution to ‘feed’ them, without really understanding what it is:

People believe that the Constitution should primarily provide social guarantees, not political. Putin is meeting this request. Russians also have a request for political changes, the president also responds to it - changing the balance of power, but, most importantly, changing the government”. (“Rossijane odobrajut popravki”, 2020).

People do not understand what the structure of power will be after 2024. This is proved by the findings of Levada Center: only 25% of the participants said they understood the amendments to the Constitution. 59% of them noted they have heard about it. Also, citizens do not understand anything about the State Council, so it is difficult to assess whether they approve this body or not, Levada Center sociologist Denis Volkov adds. (Levada-Center, 2020b).

Since the referendum on the amendments was postponed till unknown date due to the pandemic COVID-19, Russian government has a good chance to demonstrate that it is able to cope not only with the Western threats to Russian security or regimes violating the rights of the Russian speakers but also to take care of the Russians inside Russia. The current period seems to be challenging for Kremlin and may seriously damage rating of Putin. Thus, Levada Center announces the following results of the rating that dropped from 69% in February to 63% in March and to 59% in April 2020 the lowest within last 20 years. According to expert Lilia Shevtsova, “Putin stopped giving orders, leading to chaos and in the process destroying his vertical: the center won’t take responsibility, and those below cannot take it because they lack the means and will.” (Goble, 2020). Under these conditions much serious fraud should be expected from Putin in his lust for the public support of the new Constitution. Thus, partially in order to avoid mass gatherings and protests against the Constitutional amendments, Moscow Mayor Sergei Sobyenin through his decree banned all public events in Russian capital. (“Russia’s Constitutional Court”, 2020). Although the official reason was the COVID-19 pandemic, Moscow municipality managed to avoid mass rallies similar to those in 2011 and 2012. Similar tactics was used during 2018 World Cup that was held in Russia. Then, government increased the pension age during the period of ban on mass gatherings related to championship. (Mackinnon, 2018). Furthermore, in late May, Putin signed the law on online voting. (“Putin signs law”, 2020). According to this law, people may vote through email or through the remote online voting system. This will definitely allow serious cyberattacks and fraud during the plebiscite.

CONCLUSION

On January 15, 2020, Vladimir Putin proposed a comprehensive social package that became the focus of discussion in the Russian society. Citizens concentrated on the pensions and minimal wages, i.e. social guarantees and till March 10th ignored Putin’s main goal that is to stay in power until 2036. Surveys show, Russians have little knowledge about political system, particularly future changes. Also, surveys demonstrate that Russian society is passive and is concerned about wellbeing only. In fact, Putin came up with a deal according to which he stays in power, but Russians receive social guarantees.

As to the less significant amendments, Putin offered to introduce provision about the preservation of the historical truth that would secure Russian memory politics regarding World War II. Besides,

provision about the God was added. The definition of the Russian nation was not changed despite pro-Kremlin sociologist Tishkov's suggestion that shows how Kremlin is afraid of the possible separatist tendencies in Russia. At the same time, amendments to the Constitution map the acutest problems in Russian society such as low birth rates, need for protection of the traditional heterosexual family, attempts of the West to revise the WWII history and particularly the role of the USSR in its beginning.

In general, the year of 2020 was to become a triumph for Putin. His 20th anniversary in power would be marked by the amendments to the Constitution and military parade on 9 May, Victory Day. COVID-19 pandemic changed the image of Putin for Russians. The referendum was postponed and the new date is still not known.⁶ Military parade that was planned with the participation of the European leaders was also cancelled. Finally, Russians do not see their strong leader anymore. Isolation and online communication with the people do not fit the image of the strong former KGB officer and a leader who is able to cope with the pandemic. Russia may be declared a winner state in its Constitution, however it fails to cope with the virus. There is a high probability that mismanagement of the Russian government during pandemic may affect the outcome of the referendum. Therefore, Putin will have to utilize administrative resources to achieve adoption of the Constitution through the public vote. This is not to mention online voting where fraud is even easier. To sum up, despite the coronavirus obstacle, Putin does not seem to leave his post soon. In this regard, the fraud during the online referendum as well as an extended ban on mass gatherings should be expected.

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⁶ As of May 22, 2020

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