

The Rise and Fall of Power-Sharing Treaties Between Center and Regions in Post-Soviet Russia

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Abstract: This paper analyzes the transformation of center-regional relationships in post-Soviet Russia, focusing on the division of powers and power-sharing treaties. Under the presidency of Vladimir Putin, the Russian government implemented federal reforms that included the abolishment of bilateral treaties. Examining this process, I explain why regional authorities agreed to renounce the treaties and how center-regional relationships have changed in Russia.

Keywords: Center-regional relationships, federal reform, power-sharing treaty, Russian regions

During his presidency, Vladimir Putin routinely stressed the necessity of reforming center-regional relationships in Russia. One of the most important steps to this end was a series of bilateral treaties signed by Moscow and several regions¹ between 1994 and 1998 in order to provide for the division of power between Moscow and each region. There are various views on these treaties. In giving the regions more power, the Kremlin succeeded in restraining regional separatism and maintaining the territorial unity of Russia. At the same time, the treaties also had negative impact on the country. Throughout the process of bilateral treaties, the legal and economic unity and the vertical political structure within Russia had become weakened. As a result, Russian federalism became increasingly asymmetrical.² In addition, analysts and researchers on Russian politics argued that those relationships characterized a weak Kremlin and strong regions.³ In reality, the situation was not so simple.

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In much of the literature on federal reform during Putin's early presidency,⁴ the administration's policies and methods of federal reform were criticized as authoritarian or anti-democratic. But the idea of abolishing bilateral treaties wasn't a policy initiated by Putin and his administration; before his presidency, in fact, some federal politicians and regional leaders insisted on the necessity of abolishing these treaties.⁵ Furthermore, some regional leaders welcomed this idea during the Putin era. Before Putin's presidency, it had already been argued by voices in Moscow and the regions that Russia was in need of federal reform. For example, Yevgeny Primakov—who became prime minister in 1998 in the wake of Russia's widespread financial crisis—made a speech on January 26, 1999 that addressed the problems of Russian federalism and the need for reform, including the promotion of bilateral treaties.⁶ In addition, the heads-of-state and governors of other Russian regions agreed on the necessity of reform and the division of powers; many of them had already been interested in reforming center-regional relationships before Putin's presidency. Therefore, it is essential to reexamine center-regional relationships and Russian power-division from multiple perspectives.

Firstly, in reanalyzing the bilateral treaty process of the Boris Yeltsin era,⁷ this paper aims to clarify the content of these treaties and discuss the role that they played in the relationships between Moscow and the regions. Secondly, the paper will discuss the enactment of the new federal law on center-regional power divisions. Both federal and regional governments saw the necessity of a united judicial framework; under President Putin, these reforms began to be implemented. This paper will examine the political process of abolishing these treaties, explain why regional authorities agreed to renounce the treaties, and describe how the relationships between Moscow and the regional authorities have changed in Russia.

Bilateral Power-Sharing Treaties Between Center and Regions During the Yeltsin Era

Division of Power in the New Russia

Upon his rise to power in June 1991, Boris Yeltsin was faced with myriad problems—economic reform and confrontations with the Parliament being chief among them. Yeltsin compromised with the regions in an attempt to garner support from them. Though within Russia, regional separatism remained in the country as a residual Soviet-era phenomenon, these separatist movements did not necessarily aim for independence from Russia; expansion of power within the territories was among their central goals.⁸ On March 31, 1992, the government at first set forth the Treaty on the Division of Matters of Jurisdiction and Power Between Federal Bodies of Executive Power and Bodies of Executive Power of the Subjects of the Russian Federation,⁹ giving the republics priority as “sovereign governments” with greater power than “un-republic” regions—oblasts, kraia, autonomous okrugs, autonomous oblasts—in order to distribute each power between the center and the regions. On December 12, 1993, the new federal Constitution came into effect, stipulating that all constituencies of the Russian Federation had equal rights in their relationships with the central government.¹⁰ The provision of the Constitution excluded the priority of republics in the division of power. On the other hand, it held onto the provisions that distinguish republics from other types of regions—for example, republics have their own constitutions¹¹ and national language.¹² It was becoming clear that Russian center-regional relationships were to be very complicated.

It was the advent of power-sharing treaties that made such relationships even more complex. From 1994 to 1998, the central government set forth 42 treaties with 46 regions in order to eliminate various dissatisfactions being expressed by the regions.¹³ Moscow succeeded in offering the regions a sense of membership in the Russian Federation by pushing for bilateral treaties and allowing the regions more autonomy. On the other hand, the center wielded such treaties as a political instrument, and set a precedent for individual relationships between center and region. It is possible to analyze these bilateral treaties from both a positive and negative standpoint; the following section will discuss other aspects of the treaties as approached from the regional stance.

The Early Stage of Power-Sharing Treaties

The first region with which Russia drew up a power-sharing treaty was the Republic of Tatarstan, where during the tenure of President Mintimer Shaimiev separatism had grown steadily since the Soviet era.¹⁴ From 1994 to 1995, in addition to Tatarstan, six republics—some of which were also strongly separatist—also became involved in treaties with Russia. These six treaties were different from the other treaties that the center made with the regions after 1996—constitutionally-affirmed joint jurisdiction was changed to regional jurisdiction, political structure was established within the republics, participation in international relationships was fostered, and formation of a republic budget was promoted. In the case of regional jurisdiction, regional governments were able to enact their own legal norms; if there were contradictions between federal law and a regional norm, the regional norm was seen as valid.¹⁵ When the regions enacted their own norms on the matters of joint jurisdiction, they had to work within the framework of federal law. Moreover, some powers of the central jurisdiction were transferred to joint jurisdiction. For example, the issue of citizenship lay within joint jurisdiction in Tatarstan and Bashkortostan, as did the banking business in Kabardino-Barkalia and North Ossetia.

Matthew Crosston has analyzed ten power-sharing treaties in five republics and five regions and has paid attention to the problem of citizenship, which was under central jurisdiction per the constitution but was under joint jurisdiction in the treaties. Crosston criticized the point of view that the requirement for citizenship by Tatarstan, Bashkortostan, and North Ossetia revealed a tendency toward regional separatism. He argued that these republics required the matter of citizenship to be transferred not to regional jurisdiction but to joint jurisdiction.¹⁶

It is impossible to deny separatism in those republics; it is a fact that some republics claimed expansion of their power. However, most of the power of regional jurisdiction that the republics had gained via the bilateral treaties was social, economic, and fiscal in nature. Only important matters for the republics, such as citizenship, remained under joint jurisdiction. Although it became possible for the republics to make decisions about socioeconomic development within the regional territory, such actions did not necessarily reveal a desire for separatism. These early treaties included the illegal provision against the federal Constitution and federal laws, so it could be said that the republics, in fact, took a firm stance against the center. But the explanation that they required the treaties for sovereignty and independence, however, is not completely accurate.

TABLE 1. Republic (Joint) Jurisdiction Allowed by Bilateral Treaties

Joint → Republic jurisdiction (Federal → Republic ©)	Tatarstan	Kabardino- Barkalia	Bashkortostan	North Ossetia	Sakha	Komi
Political System in the Republic	○	○	○	○	○	○
Local Autonomy System				○	○	○
Resolution of Problems about Judicial System in the Republic			○			
Resolution of Problems about Lawyers and Notary	○		○		○	
Personal Problem in Judicial and Law-enforcement Agencies		○		○		
Guarantee of Law Order, Lawfulness and Social Security		○	○	○		
Resolution of the Problems about Possession, Use and Management of Natural Resources	○		○	○		
Management of Government Properties		○	○	○	○	
Participation in International and External Economic Relationships	○	○	○	○	○	○
Establishment of Bank ★	○	○	○	○	○	○
Formation of Republic Budget	○	○	○	○	○	○
Decision of Principle of Republic Taxation and Fee	○	○	○	○	○	○
Legislation of Natural Use and Ecology Education	○	○			○	
Social Welfare		○				
Protection of Rights of Minority		○	○	○		

table continues

TABLE 1 (continued)

Federal → Joint jurisdiction	Tatarstan	Kabardino Barkalia	Bashkortostan	North Ossetia	Sakha	Komi
Guarantee of Sovereign and territorial integrity			○			
Problems of Citizenship	○		○			
Coordination of International and External Economic Relationships	○	○	○	○		
Coordination of Budgetary, Financial, Banking and Monetary Policy	○	○	○			
Formation of Fund for Regional Development	○		○	○		
Banking Business		○				
Coordination on Meteorology	○					
Coordination of Energy System and Life Infrastructure	○			○	○	

★ : Necessary to make an agreement Colored: Within the framework of federal laws.
Sources: Author created from bilateral treaties of each republic

Power-Sharing Treaties Since 1996

Other 40 center-regional bilateral treaties entered into since 1996 included matters under joint jurisdiction that were not included in Article 72 of the federal Constitution: official personnel matters of the region, the issuance of licenses, budget problems between the center and the regions, the development of agro-industrial complexes, the planning and realization of a federal program, and so on. In terms of the federal program, the regions also take part in planning and realizing it, though Moscow ultimately approves it. Indeed, regions with bilateral treaties were able, for example, to establish their own taxes and fees and to independently take part in international relationships.

Many other provisions of these treaties were consistent with the Constitution and were not aimed at expanding the regions' powers. Article 73 of the Constitution, for instance, states that the regions have all powers except for those that fall under the exclusive jurisdiction of Moscow or under joint jurisdiction; this means that the matters not included in Article 72 should fall under exclusive regional jurisdiction unless the region had not been part of a treaty. If we consider transferring central jurisdiction to joint jurisdiction or increasing regional power as an expansion of power by the regions, bilateral treaties do not increase, but instead decrease, regional power. Rather than spreading the range of power and demonstrating their autonomy, most regions hope to clarify the division of power in regard to socioeconomic development—particularly relating to budget, personnel, and international relationships.

As a result, these treaties have created power differences between regions that have not signed bilateral treaties as well as between those that have. It is clear that bilateral treaties led the Russian Federation toward a decentralized and asymmetrical political system. However, regions that were involved in the treaties did not necessarily enjoy greater power and freedom vis-à-vis the center. The simplification of center-regional relationships in Russia during the early 1990s as “a weak Moscow and strong regions” is not detailed enough to grasp the essential meaning of a bilateral treaty.

The Beginning of Federal Reform

Division of Power After the 1996 Presidential Election

The treaty process was continued until 1998.¹⁷ But soon after the presidential election of 1996, when Yeltsin was elected to a second term, he and his administration began discussion of the problems inherent in center-regional relationships and the need for reform. The administration insisted on legal cohesion and a united mechanism to implement and control the policy.¹⁸ The Main Control Division of the Presidential Administration was established to control implementation of federal laws and presidential decrees by central and regional executive bodies and to inform the president of the regions' activities.¹⁹ In 1997, it was reported that many regional laws existed that conflicted with federal laws and the Federal Constitution; consequently, the need for a united legal space within Russia was insisted upon.²⁰ Also that year, Vladimir Putin served as the head of Main Control Division.²¹

One of the most influential individuals who emerged as a critic of center-regional relationships during the second term of Yeltsin's presidency was former Prime Minister Yevgeny Primakov, who had assumed office during the 1998 financial crisis in Russia. Amid the crisis, some regions took their own measures to protect

TABLE 2. Joint Jurisdiction Newly Provided by Bilateral Treaties

Joint Jurisdiction	Mari-El	Kostroma	Yaroslavl	Moscow	Krasnoyarsk	Astrakhan	Murmansk	Ulyanovsk	Samara	Vologda	Buryansk	Chelyabinsk	Magadan	Artai	St.Petersburg	Tver'	LEninglad	Rostov	Nizhegolod	Permi	Sakhalin	Irkutsk	Chubasia	Omsk	Khabarvsk	Krasnodar	Orenburg	Kalininglad	Sverdrovsk	Udmru	Bryat
Personnel Policy	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
License System	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Interbudget System	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Agro-Industrial Complex	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Economic Restructure	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Military Complex	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Federal Targeted Program	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
on Regional Social-Economic	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Development	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Migration Program	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Civil Defense and Emergency	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Social Welfare for Staff of	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Military and Internal Agencies	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Infrastructure	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Fuel Energy Complex	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Tariff Policy	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Employment and Social Welfare	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Use of Mineral Resources	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Civil Service	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Possession, Use and Management	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
of Natural Resources	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
Protection of Environment	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	
and Ecology	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	o	

table continues

their territorial economies; several of these measures, however, stood in violation of the Federal Constitution.²² Some regions prohibited the export of their products; others imposed extra taxes on products from other regions. Primakov criticized the regions for this behavior and considered this situation to be evidence of the vulnerability of Russian federalism.²³ He identified federal reforms as the most important task for his government. He insisted on reforms by which the center would strengthen its control over the regions; the appointment and dismissal of regional leaders by the president; and the need for vertical power structures, changes in the division of powers, and the merger of regions. He was, however, unable to realize these reforms before his dismissal by Yeltsin in May 1999.

Though Primakov couldn't bring these reforms to fruition, new laws concerning center-regional relationships and federalism passed in the Russian Parliament and went into effect at the end of 1990s.²⁴ The following section of this article will offer a description of the legislative process behind certain laws during this time-period.

Legislative Process of the Federal Law on the Division of Power

The Russian Parliament is bicameral, consisting of the Lower House (the Duma) and the Upper House (the Federal Council). According to Article 95 of the Constitution, the Federal Council includes two representatives from each subject of the Russian Federation: one from the legislative branch and one from the executive body of state authority. From 1993 to 1995, the Federal Council was consisted of two representatives who were elected by people. But after 1996, it consisted of regional executive and representative leaders.²⁵ The Federal Council has the right to deny a law or require the amendment of a law, but it cannot revise a law by itself. Because members of the Federal Council held two posts—one in Moscow and one in their own region—a general meeting was held once or twice in a month, which was typically not enough time for the Upper Chamber to make useful and effective decisions. Nevertheless, when the Federal Law concerning the principles of division-of-power and matters of jurisdiction between federal authority and regional authorities²⁶ was adopted on June 24, 2009, the Federal Council significantly influenced the legislative process.

Provisions of the Law on Division of Power

The June 1999 law specified the procedures for adopting federal laws on matters of joint jurisdiction between the center and the regions, as well as for treaties or agreements on the division of power and matters of jurisdiction. Therefore, it established a united mechanism for the division of power and clarified the priority of the Federal Constitution and federal laws regarding bilateral treaties. The regions would no longer be able to lay out their own rules on matters of joint jurisdiction; regional rules had to be amended to now follow federal laws.²⁷

According to the law on the division of power, federal and concerned regional authorities could draw up treaties through discussions in the Federal Council and other regional organs.²⁸ Until that point, the president and heads of regions had engaged in bilateral treaties individually; the law gave the option of involvement to federal and regional legislative bodies, though the decisions taken by them would not be legislatively binding at the final decision.

Indeed, Article 32 of the law required the revision of power-sharing treaties and agreements within three years. But hardly any of the regions, except for the Sakha Republic,

revised their treaties within the set period. The law did not specify what would happen if treaties were not revised. Therefore, the status of bilateral treaties not revised until June 2002 remained unclear.²⁹

This was not the first time that the law on the division of power had established the priority of the Federal Constitution and federal laws and espoused a united mechanism for bilateral treaties. In 1994, a committee on preparing power-sharing treaties had been created, led by ex-Vice-Prime Minister Sergei Shakhrai.³⁰ A presidential decree on the procedure of activities for power-sharing treaties had set the rules for the committee³¹: treaties could not be newly established, the status of regions provided by the Constitution could not be changed, treaties did not allow distortion or redistribution of matters of jurisdiction established by Articles 71 and 72 of the Constitution, and so on. However, the law of 1999 did not set forth provisions for possible violation; in other words, even if regions did not obey the provisions, they were not punished. However, it is important to note that even among the regions, the problem of center-regional relationships was discussed, and the regions' ideas and arguments regarding it were introduced into federal policy.

Discussion of the Law in the Federal Council³²

In the legislative process, the Federal Council twice rejected the law approved by the Duma in April 1997.³³ After the law's rejection in both May and December of that year, joint commissions of the Lower and Upper Houses were created. In particular, the second commission faced a difficult road, as many regional leaders whose region had a power-sharing treaty took part in it.³⁴ The third discussion in the Federal Council was held in February 1999, at which time the Federal Council finally approved the law. But even after approval, the president rejected the law, and a special commission was established that included a presidential representative. Ultimately, the law was adopted on June 24, 1999.

At the first meeting of the Federation Council in May 1997, Anatoly Sychev, chair of the regional legislative body in Novosibirsk Oblast' and chairman of the committee on federal problems and regional policy that was responsible for the discussion of the law, reported the opinions of the committee.³⁵ According to his report, the Federal Council could understand the need for the law, but found that its text was inconsistent with the Federal Constitution and thus could not approve it. Ninety-eight (55.1 percent) of the members of the Federal Council were against the law, while 23 members (12.9 percent) supported it.³⁶

At the second meeting, Vitaly Vishnyakov, vice-head of the committee and chair of the regional legislative body in Chita Oblast stated that the amended law included the potential for simplifying center-regional relationships and developing federalism within Russia. This time, the opinions of the members of the Federal Council were divided into three categories: those who supported the law, those who acknowledged the need for such a law but were still against it, and those who overtly opposed it. Members who supported the law recognized the need for a legislative procedure in power-sharing treaties and assessed that the law meet their opinion. They argued that though the law had faults, it would be possible to change these at a later time.

Most of the committee members fell into the second category: they saw some benefits to the power-sharing option, but still opposed the law's passage. There were several points of disagreement in this camp. Committee members posited that:

- (a) It was impossible to transfer federal powers to the regions, though it was possible to transfer regional powers to the center.
- (b) It was impossible for the regions to take part in the implementation of federal powers, though this was possible for the center to undertake.
- (c) It was necessary for the conclusion of treaties to be adopted by federal law.
- (d) The law simply contradicted the Constitution.

Tatarstan President Shaimiev fully disagreed with the law.³⁷ At that time, 73 members (41.3 percent) agreed with the law and 45 members (25.3 percent) disagreed with it,³⁸ so the law was rejected again and a second joint commission was formed. The first joint commission did not include representatives whose regions had participated in a bilateral treaty; the second joint commission consisted of some of these representatives.

At the February 1999 meeting of the Federal Council, Nikolai Vynogradov, governor of Vladimir Oblast, spoke of the decision reached by the second joint commission. He said that while the commission's discussion was controversial, the Duma and the Federal Council had finally reached an agreement. The stipulations were as follows:

- (a) The Constitution of the Russian Federation was the highest authority of the Federal Constitution.
- (b) The possibility existed for the regions to set rules until the establishment of a federal law on joint jurisdiction.
- (c) There was to be participation in the legislative process of federal laws on joint jurisdiction by regions' proposal.
- (d) Existing bilateral treaties must coincide with the law within three years.

Consequently, 119 members (67 percent) agreed to and approved the law; President Yeltsin, however, refused to sign it. Finally, the Duma adopted the law by special commission on June 4, 1999. In the Federal Council, 110 members (61.8 percent) approved it on June 9, and the president signed it on June 24.³⁹

In the Federal Council, at first, almost all members disagreed with the bill set forth by the Duma; later, more nuanced opinions gradually began to appear. These changes did not correspond to whether or not any bilateral treaties had been set forth. On the one hand, the opinion that there was a need for a principle of bilateral treaties was in the vast majority. But on the other hand, members of the Federal Council required regional involvement in the federal political process and enough time to amend existing treaties. While the federal government placed limits on the conditions and procedures needed to solidify treaties in order to retain future bilateral treaties, the Federal Council members instead tried to compromise with the Duma and the president. Finally, the Federal Council approved the law on division-of-power. It is possible to conclude, then, that the participation of many Federal Council members in the joint commission, and the reflection of their opinions in the passing of the law, led to an agreement between the federal government and the regions concerning center-regional relationships.

As we have seen, the problem of central-peripheral relationships in Russia was a key political issue through the 1990s. By the end of the Yeltsin era, the revision of laws concerning federal institutions in the country had been at least partly achieved, providing comprehensive rules for relationships between the center and the regions. However, the legal framework was not sufficient to correct asymmetric federalism, and further reforms were necessary.

Abolishment of Bilateral Treaties

Policy of the Federal Government

As mentioned previously, ideas of federal reform had already been proposed by Primakov and continued into the Putin era. When Putin became the second Russian president in early 2000, he began to work on federal reform—likely influenced by his own experience in the presidential administration and by Primakov's ideas during the Yeltsin period. Putin noted that he and his government intended to carry out reforms without affecting basic constitutional principles. He believed that there was no need to hurry a constitutional change,⁴⁰ explaining that it was possible to make federal reforms without altering the existing constitution. This was a significant departure from Primakov's viewpoint.

Putin attempted to realize his tasks not alone, but through various bodies, even through regional governments. For example, a new political institution, the Government Council, was established on September 1, 2000, consisting of all regional leaders.⁴¹ They had lost their posts in the Upper House of the Russian Parliament after a rule-change regarding the formation of the Federation Council,⁴² and thus had also lost their official connections to the center. The Government Council falls under the presidential administration; its decisions are not legally binding, and the leader's influence is therefore weaker than it was during the 1990s.

One subsection of this council, led by Tatarstan President Shaimiev, dealt with the problem of center-regional relationships. His group drew up a "Basic Concept of Government Strategy on the division of powers between bodies at the federal, regional, and municipal levels, and on mutual relationships between the center and the regions."⁴³ This stated that the central government exerted powers relating to territorial unity, defense, and strategic issues, while the regional governments implemented more concrete policies. Moreover, it stressed that ambiguous joint direction be reduced, with a clear division of powers between the center and the regions. This was supported by the Presidium of the Government Council, but was excluded from the agenda in the plenary session. The chairman of the Council was the Russian president. Since Shaimiev's concept included ideas that conflicted with the views of the central government, it was excluded from the agenda. While it could have been foreseen that Shaimiev, whose region had significant problems with the center, would produce an anti-central plan of this kind, Putin nevertheless offered him this important-seeming role, probably in order to avoid direct conflict with him and to divert his complaints. Moreover, his ideas were not entirely opposed to centralized power—they included the necessity of a vertical power structure and the rule of law.

Following the findings of Shaimiev's group, Putin established a new special commission on center-regional relationships, led by deputy head of the presidential administration Dmitry Kozak.⁴⁴ Kozak had previously carried out judicial reforms; during Putin's

second term he was the presidential representative in the Southern Federal District (where there had been many political problems) and had served as minister of regional development in the Zubkov government.⁴⁵ His commission also formulated a basic framework for relationships between federal, regional, and municipal governments, which aimed to concentrate legislative power and to centralize control.⁴⁶ After the submission of a report by Kozak on May 30, 2002, Putin assessed the outcome of the commission, and the report's findings were adopted as the basic policy for the division of power between the center and the regions.⁴⁷

Regional Governments

At the same time, many regions started to abolish or agree with the abolishment of bilateral treaties. The first region that referred to the necessity of abolishment and brought it to fruition was Omsk Oblast', where the prosecutor pointed out contradiction between federal law and the bilateral treaty.⁴⁸ The governor decided not to amend the treaty, but to abolish it. Leaders of the Volga federal okrug made a decision to send a common declaration to abolish their treaties voluntarily in July 2001.⁴⁹ The governor of Perm Oblast, Yury Turtnef—who later became minister of natural resources—demanded cooperation from their regions, pointing out the inconsistency of treaties with federal law and the problems of center-regional relationships, and advocating abolishment of the treaties.⁵⁰ Continuing this process until May 2003, 34 regions abolished their treaties.

On the other hand, some regions did not agree with abolishment; the Republics of Tatarstan, Bashkortostan, Sakha, and Chubash, Sverdlovsk Irkutsk Oblasts, Krasnoyarsk Krai, and Moscow all objected. They did not want to deny their autonomy or lose their power and prestige. For example, in Sverdlovsk Oblast, when the regional authorities received the declaration to abolish the treaty from central government in January 2002, Governor Rossel disagreed with it: "This declaration is inconsistent with the principle of federalism. Even Putin and Kas'yanov are not able to easily abolish the document that their precedents concluded."⁵¹ For him, the treaty was a sign of pride; abolishment of it could also mean loss of autonomy from the center and loss of support within the region.

Another example is the Republic of Sakha, the only region that amended its power-sharing treaty after the adoption of federal law on the division of power. In February 2002, the federal government advised the regional authorities to abolish the treaty like other regions, but the president of the republic did not agree with the abolishment. In September of that year, the republic amended its treaty and agreements to be consistent with federal law.⁵²

In sum, the process of abolishing the treaties varied among regions. Some regions that abolished their treaties agreed with the idea of central government or with the Kozak commission, based on the idea that power-sharing treaties were not useful and not consistent with federal legislation. On the other hand, some regions maintained their opposition to the abolishment of treaties. For them, power-sharing treaties were politically, economically, and financially important—their treaties would remain in place until the new law was realized.

The Amendment Law of 2003

On July 4, 2003, a federal law "on amendments and supplements to the federal law about general principles for the organization of legislative and executive power

TABLE 3. Dates of Treaties on the Abolishment of Bilateral Treaties

2001	21 Dec.	Astrakhan Oblast, Omsk Oblast, Perm Oblast, Komi-Permyak Autonomous Okrug
	31 Dec.	Ulyanovsk Oblast, Mari El Republic
2002	24 Jan.	Kirov Oblast
	30 Jan.	Magadan Oblast
	2 Feb.	Chelyabinsk Oblast
	9 Feb.	Saratov Oblast
	15 Feb.	Buryat Republic
	19 Feb.	Kostroma Oblast, Tver Oblast
	22 Feb.	Voronezh Oblast, Samara Oblast
	26 Feb.	Ivanovo Oblast
	4 Mar.	Sakhalin Oblast
	15 Mar.	Altai Krai, Vorogda Oblast, Rostov Oblast, Yaroslavl Oblast
	18 Mar.	Amur Oblast
	4 Apr.	Orenburg Oblast, St. Petersburg
	6 Apr.	Nizhegorod Oblast
	12 Apr.	Krasnodar Krai
	18 Apr.	Leningrad Oblast
	20 May	Komi Republic
	2003	31 May
8 Aug.		Kabardino-Balkar Republic
9 Aug.		Bulyansk Oblast
12 Aug.		Khabarovsk Krai
2 Sep.		Republic of North Ossetia-Alania
20 May	Murmansk Oblast	

Source: See <http://constitution.grant.ru/DOC>.

organs came into effect.⁵³ The new law was based on the basic concept of the Kozak commission.

The amended law included the provisions of the federal law—Part 4-1, on general principle of division of power between power organs of Russian Federation and power organs of the regions of Russian Federation.⁵⁴ In addition, Part 4-2 provided that regions finance their own powers; regional governments had to realize matters of their exclusive jurisdiction via their own budget,⁵⁵ as well as via joint jurisdiction. Until that point, the discussions on division of power and financial basis had been made separately. The 2003 amendment clarified these aspects of center-regional relationships.

Moreover, according to the 2003 amendments, bilateral treaties should be revised under a new procedure or else abolished. As noted above, before the enactment of this law almost all treaties had been abolished by regional initiative between 2001 and 2003. Only two regions, Tatarstan and Bashkortostan, continued renewal negotiations. So it can be said that as of July 2005, all bilateral treaties became invalid. Only Tatarstan set forth a new bilateral treaty in 2007.⁵⁶

At first glance, it seems that such federal reform has led to a centralized political system. However, Kozak's ideas involved giving more power to the regions to implement policy. Some federal laws indeed gave regions new powers relating to public administration, social security, cultural inheritance, and so on. This extension of power allowed regional governments a free hand to take more measures to achieve socioeconomic development

in their territories. At the same time, however, the commission clarified the financial resources in order to realize each power, so that regional financial obligations also expanded. In this respect, the extension of regional powers is not necessarily advantageous for the regions; that is to say, the amended federal law on organization of a regional power organ prescribes that regional authorities provide their own financial backing. As a result, poorer regions have to depend more on the federal government.

The center also gave regions the power to control local authorities.⁵⁷ The new federal law on general principles for local authorities includes provisions that strengthen regional independent powers over local government—for example, regions can control local budgets. Some regions already had their own laws on local authority that stipulated a centralized local system. The ideas of the Kozak commission officially admitted such regional policies.⁵⁸

Conclusion

Several important conclusions can be drawn from the above-discussed details on the political process of bilateral treaties. First, this calls into question the theory that the Russian federalism of the 1990s was characterized by a weak center and strong regions. This is true from some aspects, but bilateral treaties did not necessarily give greater power to regional governments. These treaties not only allowed regions to have extra-constitutional powers, but also restricted various categories within joint jurisdictions between the center and the regions.

A second point to underscore is that the concept of reform of center-regional relationships continued during the second half of the 1990s. The Kremlin discussed the problems of asymmetric and individual relationships between the center and regions, and, as has been mentioned, the new federal law based on the principle of power-sharing was enacted in 1999. Following such a trajectory, President Putin and his administration started actualizing concrete policies.

A third point is that not only by Putin's individual motives, but also via the commitment of various actors, Russia was moving toward becoming a centralized political system. In 2000, the federal government started to codify the concept and put it into effect. At that time, many regions abolished power-sharing treaties voluntarily. Even the regions that had not compromised their treaties agreed with the new law by the Kozak commission, including the provision of abolishment of power-sharing treaties within two years. In return, the regions gained greater power to implement their regional policies and their regional jurisdiction was expanded.

It is not always desirable for regions to expand their powers and jurisdictions, because according to the amendment law of 2003, regions have to find their own finances in order to implement their powers. This means that the federal government could push the responsibility of implementing socioeconomic policy, which requires more money. If the situation continues for a few years, poor regions will further depend on the center.

This analysis has shown that it was not Putin's individual initiative, but that of various central and regional actors, that helped realize the abolishment of bilateral treaties. The success of these reforms and the tendency toward a more centralized political system can be owed to multiple regions and entities. It is difficult to say whether or not other policies set forth under the Putin presidency, as a whole, also garnered such an outcome. But it is important to view the relationships between the center and the regions in Russia from multiple perspectives—and from both the center's and the regions' perspectives.

NOTES

1. According to the Federal Constitution in 1993, the Russian Federation consisted of 89 subjects; 21 republics, 49 oblasts, six kraia, two cities (Moscow and St. Petersburg), 1 autonomous oblast and 10 autonomous okrugs. The word “regions” is used as a general term for “subjects” in this article. Since 2005, some oblasts or kraia and autonomous okrugs have been merged and the number of regions is 83 as of December 31, 2008.

2. See Richard Sakwa, *Russian Politics and Society* (London and New York: Routledge, 2008): 261, 281; Cameron Ross and Adrian Campbell, *Federalism and Local Politics in Russia* (London and New York: Routledge, 2009): 3; and Graeme Gill, *Politics in the Russian Regions* (Houndmills, England: Palgrave Macmillan, 2007): 5.

3. Nikolai Petrov and Darrell Slider, “The Regions Under Putin and After,” in Stephen K. Wegren and Dale R. Herspring, eds., *After Putin’s Russia: Past Imperfect, Future Uncertain* (Lanham, MD: Rowman & Littlefield Publishers, 2010): 75; and Graeme Gill, *Politics in the Russian Regions* (Houndmills, England: Palgrave MacMillian, 2007): 5.

4. For example, Simon Pirani, *Change in Putin’s Russia: Power, Money and People* (London: Pluto Press, 2010): 195.

5. For example, governor of Orel Oblast and the Chairman of the Federal Council, Egor Stroeve, denied bilateral treaties at the meeting of the First All-Russian Academic-Practical Conference on Problems and Perspectives of Development of Russian Federalism, 1998. c. 14.

6. Российская газета, January 26, 1999.

7. Full text of most bilateral treaties (except from the Amur, Ivanovo, Kirov, Saratov and Voronezh oblast) can be found in the “Collection of treaties and agreements between central and regional government on division of jurisdictions and powers,” available at http://constitution.garant.ru/DOC_7100htm (accessed December 1, 2010).

8. Shiokawa Nobuaki, *Federalism and Ethnic Problems in Russia* (2007): 45.

9. There were three types of treaties: with Republics; with kraia, oblasts, and the cities Moscow and St. Petersburg; and with autonomous oblasts and okrugs.

10. The Constitution of the Russian Federation, 1.3, Article 5.

11. The Constitution of the Russian Federation, 1.1, Article 66.

12. The Constitution of the Russian Federation, 1.2, Article 68.

13. In the case of autonomous okrugs, they settled on the same treaties as oblasts or kraia, including the okrugs in their territory made with the central government. For example, Irkutsk oblast and Ust-Orda Buryat autonomous okrug had the same treaty. Similarly, Perm oblast, Komi-Permyak okrug, Krasnoyarsk krai, Taimyr okrug, and Evenki okrug each settled on one treaty.

14. The processes for bilateral treaties are different in each region. It is not the purpose of this work to describe them in detail and there has already been some research done to this end.

15. The Constitution of the Russian Federation, cl. 4, 6, Article 76.

16. Matthew Crosston, *Shadow Separatism: Implications for Democratic Consolidation* (Farnham, England: Ashgate Publishing, 2004): 43.

17. On July 16, 1998, the Russian government made its last treaty with the city of Moscow. After that, new treaties weren’t formed with any regions.

18. Daniel R. Kempton, “The Case of Sakha: Bargaining with Moscow,” in Kempton and Terry D. Clark, *Unity or Separation: Center-Periphery Relations in the Former Soviet Union* (Santa Barbara, CA: Praeger, 2002): 93.

19. Collection of Legislation of the Russian Federation, No.12, 1996, st.1066.

20. Kalinin, 1998.

21. Collection of Legislation of the Russian Federation, No.13, 1997, st.1526.

22. For example, in Krasnoyarsk krai and Kemerovo oblast, the governors placed limits on raising food prices and imposed restrictions on the movement of foodstuffs—something explicitly banned by federal law (Sakwa, 2002).

23. Российская газета, 27 января 1999. с. 3.

24. Federal Law on Coordination of International and Foreign Economic Relationships in the Subjects of Russian Federation, Collection of Legislation of Russian Federation), no. 2, November 11, 1999,

231; Federal Law on General Principle of Organization of Legislative and Executive Bodies of State Authority in the Subjects of the Russian Federation, Collection of Legislation of Russian Federation), no. 42, 5005; Federal Law on General Principle of Organization and Activities of Associations for Economic Relationships of the Subjects of Russian Federation, Collection of Russian Federation), no. 51, 6286.

25. According to Article 96 of the Federal Constitution, the FC is not elected, but is formed via certain processes provided by federal law. In December 1993, the members of the FC were elected by people with two-year terms. In December 1995, regional executive leaders and chairmen of regional parliaments were included in the FC as *ex-officio*. Since the reform of the FC in 2000, the FC consists of representatives from regional executive and legislative bodies.

26. Collection of Legislation of Russian Federation, no. 26, 1999, 3176.

27. The June 1999 law, Articles 3, 4.

28. The June 1999 law, Article 12.

29. "Treaty on amendment to Treaty on division of jurisdiction and power between central government of Russia Federation and government of Sakha Republic," September 21, 2002, available at http://constitution.garant.ru/DOC_85096.html (accessed on December 15, 2010).

30. "Collection of Legislation of the Russian Federation," no. 13, 1994, 1475.

31. "Collection of Legislation of Russian Federation," no. 12, 1996, 1058.

32. The statements and voting results are based on the shorthand records of the Federal Council, which were obtained from the website of the FC, available at <http://www.council.gov.ru/files/sessions/report> (accessed on June 15, 2010). Federal Assembly of the Russian Federation, Stenographs of 20th meeting, May 14-15, 1997; 26th meeting December 3, 1997; 43rd meeting on February 17-18, 1999; 48th meeting on June 9, 1999.

33. "Chronology of Examination of Bill on Principle and Procedure of Division of Jurisdiction and Power between Bodies of State Authority of Russian Federation and Bodies of the Subjects of Russian Federation," available at <http://www.duma.gov.ru:8080/Zakon/XronZkp?REJ=1&ZKP-7023> (accessed December 15, 2010).

34. Resolution of Federation Council of Federal Assembly of Russian Federation on Federal Law on principle and order of division of jurisdictions and powers between central government and regional governments, December 3, 1997). no. 396-SF, available at <http://www.council.gov.ru/lawmaking/sf/document/item/4169/index.html> (accessed on June 15, 2010).

35. Federal Meeting of the Federation Council of the Russian Federation, May 14-15, 1997.

36. *Ibid.*

37. *Ibid.*

38. *Ibid.*

39. Стенограмма сорок восьмого заседания Совет Федерации 9 июня 1999 года, Москва 1999 год, available at <http://www.council.gov.ru/files/sessionsf/report> (accessed December 10, 2010).

40. Ministry of Foreign Affairs of Japan, European Affairs Bureau, Russian Division, Rosia Geppo, no. 660, December 2000, 16-17.

41. Decree of President the Russian Federation, September 1, 2000, no. 3633; and Regulation of the Government Council of the Russian Federation, September 1, 2000, no. 1602, available at <http://document.kremlin.ru/doc> (accessed on December 15, 2010).

42. On August 5, 2000, the new Federal Law "On the Procedure of the Formation of the Federation Council" was adopted. According to the law, the chamber consists of representatives elected by legislative (representative) state authority bodies of the subjects of Federation or appointed by higher officials of the subjects of Federation. Therefore, the regional leaders had lost their *ex officio* status in the Russian Parliament.

43. Concept of Government Policy on division of jurisdictions and powers between federal, regional and municipal level, available at <http://www.kazanfed.ru/publications/kazanfederalist/n1/stat7/> (accessed on June 15, 2010).

44. Decree of the President of the Russian Federation, June 21, 2001, available at <http://www.document.kremlin.ru/doc> (accessed on June 15, 2010).

45. See the website of the Russian government, <http://www.government.ru> (accessed on June 15, 2010).

46. "Concept of division of power between federal, regional government and local autonomy on general problems of organization of government and local autonomy," Commission of President of RF on division of jurisdictions and powers between federal government, regional government and local autonomy, 2002, available at <http://uprava.iminform.ru/num8st3.html> (accessed on June 15, 2010).

47. See the website of the President of the Russian Federation, <http://president.kremlin.ru/text/appears/2002/05/28982.shtml>.

48. News of Federation, January 25, 2001, available at <http://www.regions.ru/news/402140> (accessed March 25, 2011).

49. Gazeta.ru, July 7, 2001, available at <http://www.gazeta.ru/2001/07/07/gubernatryu.shtml> (accessed March 25, 2011).

50. "Yuri Trutnev wants to forego the agreement, who is attached no privileges to the Perm province," *New Region*, July 10, 2001, available at http://www.nr2.ru/ekb/13_27010/html/print (accessed on March 25, 2011).

51. News of Federation, January 29, 2002, available at <http://www.regions.ru/news/698871> (accessed on June 15, 2010).

52. "Treaty about division of jurisdictions and powers between government of Russian Federation and government of Respubliki Sakha (Yakutiya)," Moscow, June 29, 1995 (with amendment on September 26, 2002), available at http://constitution.garant.ru/DOC_65099.htm (accessed December 15, 2010).

53. Collection of Legislation of the Russian Federation, No. 27, 2003, 2709.

54. The 2003 Amendment Law, Part 4-1.

55. The 2003 Amendment Law, Part 4-2, Article 26-2.

56. Collection of Legislation of the Russian Federation, No. 31, 2007, 3996.

57. *Kommersant vlast*, January 20, 2003, available at <http://www.kommersant.ru/doc.asp?DocsID=359642&print=true> (accessed on June 15, 2010).

58. T.V. Lankina, *Governing the Locals: Local Self-Government and Ethnic Mobilization in Russia* (Lanham, MD: Rowman & Littlefield Publishers, 2007): 145-146.