

ISTANBUL BILGI UNIVERSITY
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**IDEA OF ‘FEDERATION’ IN RUSSIAN POLITICS AND ITS PRESENT
IMPLICATIONS**

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**RUSYA SİYASETİNDE ‘FEDERASYON’ FİKRİ VE MEVCUT
YANSIMALARI**

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Anahtar Kelimeler (Türkçe)

- 1) Etnik-Federalizm
- 2) Asimetri
- 3) Hiyerarşi
- 4) Bir Arada Tutan Federasyon
- 5) Çokulusluluk
- 6) Antlaşmaya Dayalı Federasyon
- 7) Toprak Bütünlüğü

Anahtar Kelimeler (İngilizce)

- 1) Ethno-Federalism
- 2) Asymmetry
- 3) Hierarchy
- 4) Holding-together Federation
- 5) Multinationalism
- 6) Treaty-based Federation
- 7) Territorial Integrity

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LIST OF ABBREVIATIONS

USSR	UNION OF SOVIET SOCIALIST REPUBLICS
CPSU	COMMUNIST PARTY OF THE SOVIET UNION
RSFSR	RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC
TSFSR	TRANSCAUCASIAN SOCIALIST FEDERATIVE SOVIET REPUBLIC
SSR	SOVIET SOCIALIST REPUBLIC
ASSR	AUTONOMOUS SOVIET SOCIALIST REPUBLIC
RF	RUSSIAN FEDERATION
AO	AUTONOMOUS OBLAST
AOk	AUTONOMOUS OKRUG
UN	UNITED NATIONS
UNSC	UNITED NATIONS SECURITY COUNCIL
NATO	THE NORTH ATLANTIC TREATY ORGANIZATION
IFOR	THE IMPLEMENTATION FORCE
FRY	THE FEDERAL REPUBLIC OF YUGOSLAVIA
KLA	KOSOVO LIBERATION ARMY
CIS	THE COMMONWEALTH OF INDEPENDENT STATES
UNSCR	UNITED NATIONS SECURITY COUNCIL RESOLUTION
OSCE	THE ORGANIZATION FOR SECURITY AND CO- OPERATION IN EUROPE
KFOR	KOSOVO FORCE
UNMIK	UNITED NATIONS MISSION IN KOSOVO

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ABSTRACT

The trigger of this thesis, which will be presented to the attention of the reader after herein, is the Russian intervention in Syria and the ‘decentralized territorial integrity’ model alleged to be put forward by her afterwards. This situation has created scientific doubt as to whether this model is an *ad hoc* practice or a commonly propounded proposition in Russian foreign policy. This study is designed to fully understand this and at this point, the federal structure of Russia, which is seen as the usual suspect, is considered as an independent variable. Thus, it was tried to be understood whether the source of the ‘decentralized’ or ‘federalized’ territorial integrity proposal allegedly put forward by Russia in Syria could be the federation model implemented in her own country. At this point, Russia’s unique federation has been examined in depth and it has been understood that Russia’s understanding of territorial integrity is interwoven with its own specific federative structure. In other words, it has been determined that the concepts of ‘asymmetric and matryoshka-like federation’ and ‘territorial integrity’ have almost the same meaning for Russia. Based on this, the question of “does the idea of federation in Russian politics has implications on the solution proposals put forward by Russia in international crises?” was determined as a main research question. Subsequently, it has been proceeded with the hypothesis that this model is a solution proposal frequently offered by Russia and that Russia’s experience of the federation has reflections in the solution proposals suggested by Moscow at the point of solving international crises. Ultimately, it was deemed appropriate to conduct a case study to test this hypothesis, and the Bosnian, Kosovo and Georgia crises, which were the most striking cases of the last quarter century, were considered as cases. The results, at least specific to these cases, does not falsify the hypothesis and indicated that there is a significant relationship between Russia’s federal structure and her solution proposals in the crises in international relations.

Keywords: Ethnic-federalism, Asymmetry, Hierarchy, Holding-together Federation, Multinationalism, Treaty-based Federation, Decentralization, Territorial Integrity

ÖZET

İşbu aşamadan sonra okuyucunun dikkatine sunulacak olan bu tezin tetikleyicisi, Rusya'nın Suriye'de yaptığı müdahale ve akabinde ortaya koyduğu iddia edilen 'âdemi-merkeziyetçi toprak bütünlüğü' modelidir. Bu durum, bu modelin Rus dış politikasında bir defaya mahsus bir uygulama mı yoksa sıkça rastlanan bir öneri mi olduğu konusunda bilimsel bir şüphe yaratmıştır. Bu çalışma, tam olarak bunu anlamak için tasarlanmış ve bu noktada olağan şüpheli olarak görülen Rusya'nın federal yapısı bağımsız değişken olarak ele alınmıştır. Böylece, Rusya'nın Suriye'de öne sürdüğü iddia edilen 'âdemi-merkezileşmiş' veya 'federalleşmiş' toprak bütünlüğü önerisinin kaynağının kendi ülkesinde uyguladığı federasyon modeli olup olamayacağı anlaşılmaya çalışılmıştır. Bu noktada, Rusya'nın kendine has federasyonu derinlemesine incelenmiş ve Rusya'nın toprak bütünlüğü anlayışının kendine özgü federasyon yapısı ile iç içe geçmiş olduğu anlaşılmıştır. Bir diğer ifadeyle, Rusya için 'asimetrik ve matruşka benzeri federasyon' ile 'toprak bütünlüğü' kavramlarının neredeyse aynı anlamı taşıdığı tespit edilmiştir. Bundan hareketle, "Rusya siyasetindeki federasyon fikrinin Rusya'nın uluslararası krizlerde öne sürdüğü çözüm önerileri üzerinde yansımaları var mıdır?" sorusu temel araştırma sorusu olarak belirlenmiştir. Takiben, bu modelin Rusya'nın sıkça öne sürdüğü bir çözüm önerisi olduğu ve Rusya'nın federasyon tecrübesinin uluslararası krizlerin çözümü noktasında Moskova'nın öne sürdüğü çözüm önerilerine yansıdığı hipotezi üzerinden hareket edilmiştir. En nihayetinde, bu hipotezin test edilmesi için vaka incelemesi yapılması uygun görülmüş ve son çeyrek asırdaki en çarpıcı vakalar olan Bosna, Kosova ve Gürcistan krizleri birer vaka olarak ele alınmıştır. Ortaya çıkan sonuç, en azından bu vakalar özelinde, hipotezi yanlışlamamış ve Rusya'nın federal yapısı ve Moskova'nın uluslararası ilişkilerde yaşanan krizlerde öne sürdüğü çözüm önerileri arasında anlamlı bir ilişki olduğunu göstermiştir.

Anahtar Kelimeler: Etnik-federalizm, Asimetri, Hiyerarşi, Bir Arada Tutan Federasyon, Çokulusluluk, Antlaşmaya Dayalı Federasyon, Âdemi-merkezileşme, Toprak Bütünlüğü

I. INTRODUCTION

The first question marks regarding the ‘main research question’ that this thesis will try to answer were born with Russia’s intervention in Syria in 2015, following the events that took place in the Syrian field in 2011. Russia, which intervened in Syria on September 30, 2015 and tip the scales in the Syrian field in favor of Assad forces, turned its eyes to the dialogue process on how to solve the Syrian problem shortly after its military operations. As it can be understood from the cases that this thesis will examine, Russia, which has always been in competition with Western countries regarding the solution of international crises, has made an expected move here and initiated the Astana process as an alternative to the solution process carried out by the West in Geneva. After exactly this stage, some draft solutions put forward or supported by Moscow started to take place in the press. The Astana proposal allegedly put forward by Russia during the Astana talks or the draft allegedly negotiated with the Kurds at the Hmeymim base are examples could be given to these. As claimed, the ultimate aim of almost all such drafts was to preserve Syria’s territorial integrity in one way or another. It is not surprising that Russia, which has been determined to protect the territorial integrity of Syria from the very beginning of the Syrian War and has declared this many times, has prioritized the territorial integrity of Syria within the scope of these proposals. However, it has been claimed that these proposals are not contented with asserting the territorial integrity of Syria and they also envisaged some other regulations within this territorial integrity. It was claimed that there are expressions such as ‘autonomous Kurdish cultural organs’ or ‘Kurdish cultural autonomy’ in these proposals. Therefore, the territorial integrity proposed by Russia for Syria seems to be a kind of ‘decentralized or federal-like territorial integrity’ in which some different ethnic, political, cultural or religious groups in Syria will gain autonomies at various degrees. These allegations, which are frequently featured in the press, have never been confirmed by the official authorities of Russia. However, even such claims are sufficient to make suspicious any researcher familiar with the model of integrity Russia has implemented in her own country and Russia’s

attitudes in previous international crises. With reference to this doubt, these claims are also enough to motivate a researcher to examine Russia's proposals for 'territorial integrity' for the resolution of international crises. Therefore, the doubt related to the quest why Russia proposed such a territorial integrity in Syria, is exactly what triggered the formation of the main research question of this thesis. Since Moscow has ensured its territorial integrity in its own country with a unique and rare federation, does this have anything to do with Russia's own federal understanding? Has Russia proposed similar solutions for the resolution of other international crises? So, the main research question that arises is 'does the idea of federation in Russian politics has implications on the resolution of international crises?', and the hypothesis that we test is that Russia's own federative structure and her perception of territorial integrity has a significant relationship with her solution proposals in the international crises.

In this regard, it will *first* be looked at instances of decentralization and federalism in other times and countries. The reason for this is to determine how the premises of Russian federalism differ categorically from the others and what kind of a framework it is based on. In this context, the subject will be dealt with primarily from a historical perspective and the early forms of the idea of decentralization and federalism will be examined. While doing this, the Tsarist Russia and the Ottoman Empire will be studied in detail, taking into account their convergent qualities to decentralization. In this way, both the roots of Russia's federal past will be investigated, and it will be tried to open a parenthesis on whether there is a history of decentralization in the Syria, and whether there is a suitable context to the model allegedly proposed by Russia, although Syria will not be discussed in detail within the scope of this thesis due to the fact that it is an unclosed case. When the conflicts in Syria are over, it is thought that this parenthesis will facilitate other studies, which will be done on this issue and which will examine Syria in addition to the cases discussed in this thesis. Subsequently, more recent forms of decentralization and federation will be looked at. While doing this, Riker and Stepan's conceptualizations of 'symmetry / asymmetry' and 'coming-together federalism/ holding together federalism' will be used to classify the derivatives of federalism.

In this way, the unique federalism of the Soviet Union, which forms the basis of the Russian Federation, will be revealed and it will be seen how this peculiar model differentiated from the others.

As *second*, it will be examined how Russia took on a federal form following the dissolution of the Soviet Union. In this section, the transformation of the Russian Federation in the last ten years will be examined step by step, and the relationship established by Russia with its own subunits and its final federal structure will be intended to be understood. The main purpose of this section is to illustrate how Russia ensures territorial integrity in its own country and how its understanding of territorial integrity is shaped. In other words, what attempted to be comprehend is that what Russia calls as territorial integrity looks like and what exactly it is. In this way, a detailed idea will be given about what Russia calls a federation on its behalf and what unique features it may have, and it will be shown how the concepts of territorial integrity and (Russian type of) federation are intertwined in the eyes of Moscow.

Thirdly, and finally, the solution proposals and territorial integrity models put forward by Russia for other countries in international crises will be examined. In this context, international crises corresponding to the days after the independence of the Russian Federation were considered and the cases of Bosnia, Kosovo and Georgia were evaluated. By looking at these suggestions, it will be tried to be understood whether there is a parallelism between Russia's solution proposals in international crises and its understanding of territorial integrity and its own federal structure. If a significant parallelism and relationship are discovered, the context in which the 'decentralized territorial integrity' proposal that Russia alleged to propose in Syria fits, will also be understood.

This is exactly the part where this thesis is planning to contribute to the literature. The studies conducted on this subject to date have either been a comparative political study that contributes to the literature of federalism by comparing Russian federalism with other federal models and emphasizing the features inherent to Russian federalism, or it has taken the image of a mere international relations study that evaluates Russia's attitudes in international crises

and its solution proposals in the context of realism's balance of power theory and other IR theories. When evaluated in this way, a relationship could not be established between Russia's own federal structure and its solution proposals in international crises, and why Russia put forward such models in international crises remained non-contextualized. This study aimed to fill this gap in this context and try to understand whether the models of territorial integrity put forward by Russia in the solution of international problems have a correlation with its understanding of territorial integrity and its own federative structure.

The methodology that would followed while trying to set this context is undoubtedly a case study. As Babbie (2010) puts it, "a case study focuses attention on a single instance of some social phenomenon" (p. 309), and this is precisely what is meant to be done within the scope of this thesis. After determining the characteristics of Russia's distinctive federative structure and discovering what Moscow understands from the concept of territorial integrity; the case study method would enable one to examine in detail Moscow's attitudes towards the crises in the countries that would be discussed in the context of this thesis, and ultimately the models proposed by her for the solution of these crises. This situation would facilitate the comparison of the findings obtained from these cases with the federal structure of Russia in Section 3.4 of this thesis and would ultimately contribute to the formation of the main argument of this study. Thanks to the many findings to be gathered from these case studies, it would be possible to test the hypothesis that there is a significant similarity between Russia's own federal structure, Moscow's method of preserving her territorial integrity and her solution proposals in international crises. Babbie's (2010) words are in support of this, and pursuant to his sayings "chief purpose of case studies may be descriptive or the in-depth study of a particular case can yield explanatory insights" (p. 309). This explanation is both what targeted in this work and the reason why this methodology has been selected within the framework of this study. In this regard, it seems this is the only possible method to illustrate that Russia's idea of federation has certain implications on the solution proposals urged by Moscow in solving international crises in international relations.

SECTION ONE

IDEA OF FEDERATION

1.1 EARLY FORMS OF THE IDEA OF FEDERATION

1.1.1 Tsarist *Guberniya* in Russia

Federalism has a deep-rooted history in *Russkaya Zemlya*¹, so much so that these roots extend far beyond the time of the Soviet Union, contrary to what is often thought, and have their origins in Tsarist period. Otherwise, it would not be possible for any system like federalism to leach into the traditions of any country on such a scale. In this regard, the process by which the federalism commenced to interpenetrate into the structure of the Russian state *first* began with the treaties signed between the Tsarist regime and the governments of newly adhered peoples of the empire; or the agreements initialed between the Tsar and the governments of communities in the conquered territories as a result of the incursions made by Tsarist armies. The best known of these were the accords made with the defeated Central Asian khanates and the Caucasian emirates. The important thing here in terms of federalism is that these agreements were having noteworthy provisions in determining the division of powers between the regions and the center as it was called “hallmark of federalism” (p. 248) concordantly by Richard Sakwa (2008). However, what is even more significant with regards to evolution of Russian idea of federalism is that, as an outcome of these treaties, “various national areas of the old empire had certain rights and privileges, allowing local self-government and limiting the prerogatives of Tsarist *chinovniki*²” (Sakwa, 2008, p. 248), which would pave the way for Russian-type of ‘*asymmetric*³’ federalism to develop in the coming ages. Even so, at this stage it would be enough to articulate that in the Tsarist period, some of the regions were recognized with some privileged powers and autonomies compare to others so that they could solve their problems by using

¹ Russian land.

² State officials of Tzardom.

³ Later discussed in detail, see cont. of this section and also section 2.

their own means (Ağır, 2015, p. 31), even if they were still stay in Tsarist structure, which was an indication of several federal features of today's Russian Federation.

Imperial Russia, gained its *second* federation-like experience during the era of Petro the Great⁴. Tsar Petro, who was also known as *Deli Petro* by the rival Ottomans, was famous for working on the recovery of the imperial regime, which thought to be deteriorating, with the reforms he had done; in this context, had made a number of innovations that reorganize the administrative system of the empire. Within the scope of these innovations, empire's gigantic territories divided into eight⁵ *guberniya*⁶ governorships, which were designed in a similar vein with the Swedish administrative structure, by the order of 1708 (Ağır, 2015, p. 32). Then, this trend was later resumed and the country divided "into 40 under Catherine the Great; and had 56 *guberniya* just prior to the 1917 revolution" (Sakwa, 2008, p. 280). However, the problem was that it is almost impossible to entitle aforesaid *gubernization* as a step taken for federalism; yet more, it is not so wrong to express that this was an arrangement that reminds even more a unitary one. This is because, the regulation bear too much of the traces of unitarism in practice. Well, how was this happening? First of all, the appointed governors were often elected from among the people of Petro. That is to say, it had never been a priority that the administrators were whether among the local people or the local people did approve them by their will. Following this, to a large extent of legislative, executive, judicial powers and also some financial prerogatives have been granted to these governors determined by the Center, and all these large regions have been left under their control (Kalkavan, 2004, p. 5). Under these circumstances, it is not possible to talk about neither a *self-rule* nor a *shared-rule* right here, which are essential requirements of federalism with respect to Watts⁷, so nor a federalism as well. At this point, an objection can be made such that despite of all the image of above-stated unitarism, considering the fact that the state was an empire and the epoch was the age of the

⁴ Petro the First.

⁵ Moscow, Saint Petersburg, Arhangelgorod, Smolensk, Kazan, Azovsk, Siberia and Kiev were those *guberniyas*. See (Karadağ, 2006, p. 30).

⁶ Provinces.

⁷ See (Watts, 1999).

empires and that eight regions have been given important state powers such as legislative, executive and judicial powers by the Tsar in such an era (Ağır, 2015, p. 32), it should be considered as an important reform. Yes, this was already an important reform; but, in the context of this study, by bearing in mind the fact that the regional governors were directly appointed by the Tsar and assigned to his-majesty, making it impossible to define the governments in these regions as autonomous (Ağır, 2015, p. 32). Nevertheless, at least this can be said that some features of the federation⁸, not the federalism, have begun to be adopted in this period, by taking into account the factors such as the creation of provincial administrative units and the devolution of some authorities of the center to these regional units.

The *third* was the religious and cultural autonomy for Muslims in their own communal affairs given by Catherine the Great⁹, which was so close to ‘*millet system*¹⁰’ in the Ottoman Empire. Similar to its usage in the *Devlet-i Âliyye*¹¹, Catherine II and her successors have featly instrumentalized the religious authorities of different communities in Tzardom as a way of governance. This was particularly an effective tool for ruling Russia’s various Muslim communities. In that sense, “even though the Russian Empire had at least seven districts of distinct Muslim settlement, Catherine II still instituted a system by which Russia’s Muslims were able to use their own Islamic structures to resolve internal religious problems ...” (Barkey & Gavrilis, 2016, p. 28). Even more than solving their inner religious issues, the Muslims of Russia were also able to declare their requests for appointments to their schools and mosques and to inspect disputes on Islamic law

⁸ “Following Watts, it is important to distinguish between: ‘federalism’, ‘federal political systems’ and ‘federations’. Federalism is a normative concept, an ideology which advocates, ‘multi-tiered government combining elements of shared-rule and regional self-rule’. Federal political systems, on the other hand, are descriptive terms referring to a broad category of non-unitary states ranging from quasi-federations and federations, to confederacies (including: federacies, associated statehood, condominiums, leagues and joint functional authorities). Federations are thus but one species of the genus ‘federal political system’.” (Ross, 2003, pp. 5-6).

⁹ Catherine the Second.

¹⁰ Later discussed, see next chapter.

¹¹ Ottoman Empire.

through looking at their own Islamic authorities, which was encouraged by the state itself (Crews, 2006, p. 32).

The *fourth* experience, which could be associated with the idea of federalism, of the Tsarist Russia was found in the first half of the nineteenth century. This experience was based on a discussion between the two groups that had brought the formation of a movement later called as the *Dekabrist*¹², which was established as a secret organization by Russian intelligentsia, who were greatly influenced by the liberal-revolutionary ideals to end autocracy and serfdom in Russia and eventually exiled as a result of the failed uprising against conservative Tsar Nikola the First in December, 1825. In line with this debate, “the Northern Society... advocated a federal system for Russia along American lines, including the separation of ethnicity from the system of territorial representation, whereas the Southern Society, by contrast, opposed all hints of federalism and explicitly favored the assimilation of national minorities...” (Sakwa, 2008, p. 248). Thus, this instance clearly illustrates that the idea of federalism was being discussed among Russian intellectuals and public as well, alongside its penetration into the state structure as discussed above.

Howbeit, in the final period, “these early elements of federalism were undermined during the centralizing and unitarist period of the second half of the nineteenth century, as the supranational principles of Tsarist imperial statehood began to give way to a nation-building statism...” (Sakwa, 2008, pp. 248-249) as was the case with all other contemporary empires like Ottomans.

1.1.2 The Ottoman *Millet* System

As the mandate of the Ottoman state began to enlarge, the Ottoman rulers were aware that a broad array of human communities with multifarious ethnicities, religions and cultures became under the suzerainty of their onus. In all reason, they realized that this diversity could not be ruled out in such a huge geography by applying similar or identical rules to cover all these communities. Yet even if it could adopt such an administrative style, it did not yet fit into the century’s way of

¹² Decembrist movement.

thinking. From this principle, starting with conquest of Constantinople in 1453 to the nineteenth century (Barkey & Gavrilis, 2016, p. 24), the Ottomans began to arrange this non-uniformity by centering upon its subject's religious affiliations. Hereunder, they regarded and categorized each of their people as a part of one of the religious communities (*millets*) identified and recognized by the state itself, according to the above-mentioned religious affiliations. Thereafter, it cooperated with the leaders of these religious communities and ruled its people through the agency of these religious intermediators. Thus, the system that we know as the *millet system* was born, which could be characterized as an assiduous and continuous negotiations and arrangements between the officials of the imperial *payitaht*¹³ and aforesaid intermediaries as a representative of their communities.

“Under these arrangements *Jewish, Greek Orthodox and Armenian* communities organized their existence in the empire and survived through a generalized system of imperial toleration and intense negotiation” (Barkey & Gavrilis, 2016, p. 24). It is clear from this that the system was built on three essential *millet*. At this juncture, a number of researchers suggest that Muslims and some other communities should be treated as separate *millets* as well. To give an example, Charles and Barbara Jelavich, in their study called as *The Establishment of the Balkan National States* (1977), suggested that four main groups constituted the *millet system* and added the Roman Catholic *millet* to the three aforementioned ones (p. 4). Furthermore, in the same work, they underlined the existence of the Muslim *millet* and referred to the privileges it held compared to others¹⁴. Barkey and Gavrilis (2016), on the other hand, asserted that Muslims are not governed by community leaders unlike others, but that Muslims are governed by the military (*askeri*) and non-military (*reaya*) principles (p. 39) and therefore it should not be considered as a separate one. Nonetheless, whatever its constituent elements, the *millet system* provided a significant amount of cultural, social, legal, organizational

¹³ Capital city, which was Constantinople.

¹⁴ “An individual in the empire could not join the ruling strata or hold a high position in the political or military hierarchy unless he were Muslim” and even “in the decaying Ottoman Empire... they still enjoyed important basic privileges, such as a far better chance in court, fewer taxes, and a recognized superior status” (Jelavich & Jelavich, 1977, pp. 4-5).

and religious autonomy and pluralism to the units of the empire and offered them a self-ruling mechanism by legitimizing their religious institutions, patriarchates or rabbinate and releasing them in their internal affairs. For instance, a person belonging to one of the non-Muslim communities could be tried in the courts that the community had enacted, thus under the laws stipulated by the community. However, if the person in question did not want to apply to the ecclesiastics or rabbinical courts in accordance with his belief, he had the right to stand trial before the *kadi*¹⁵ as well, just as the other Muslim elements of the empire (Barkey & Gavrilis, 2016, p. 27). In addition to this, pursuant to mohammedan law and rituals, in return for the *cizye*¹⁶ (Ortaylı, 2008, p. 453) the state promised to protect both the relevant communities and all these autonomies provided to them.

The Ottoman sultans, over and above, had another awareness. The sultans, as much as they were conscious of the demographic diversity of their empires, were cognizant of the fact that almost none of the communities that generated before mentioned diversity were geographically concentrated into one region but in general dispersed throughout the territories of the empire. Hence, these communities of the empire could not only be governed by the rights granted to the regions and territories. For system to operate, elements belonging to any community of the empire should be able to benefit from the privileges granted to them independently of territories. Otherwise, granting different rights to communities could not meet any objective. To give an example, a Judaic affiliated with the Jewish community should have benefited from the autonomies provided for his own community, regardless of which region of the empire he dwelled or whether his congregants were majority or minority in that region; because the Jews were in every facets of imperial life from the east of the empire to the west and from north to the south and almost all the geographies where the empire was sovereign. This was to some extent valid for Orthodox and Armenians as well. This being the case, the communities had to be approached independently of the regions they were in,

¹⁵ Islamic judge.

¹⁶ An extra tax that non-Muslims were obliged to pay instead of military service (Ortaylı, 2008, p. 453).

or whether they constituted the majority in those regions, which meant that the *millet system* was a system based on the principal of *non-territorial autonomy* (Barkey & Gavrilis, 2016), which will be directly related to the interest of this study. However, although it was generally non-territorial in nature, it is impossible to say that this system did not have some territorial features for human groups concentrated in a specific region. To exemplify, with their settlement and concentration in buffer zones on the eastern borders of the empire, the Kurds were subject to a more regional autonomy due to some geopolitical motives (Barkey & Gavrilis, 2016, p. 27).

One of the most crucial features of this system for this study is that there was a great deal of *asymmetry* and *hierarchy*¹⁷ within this system. When it comes to the asymmetry, first and foremost, *millet system* intrinsically eliminated the possibility that any sameness to occur. In this context, each community could have different rights according to the *ad-hoc* negotiations committed with them, and the organization of the communities within their internal dynamics was encouraged by the state, which causes the communities in the empire to come together in quite different structures in the head. To illustrate, “the Greek orthodox community was hierarchically organized...” (Barkey & Gavrilis, 2016, p. 26); on the other hand “the Jews were the most geographically dispersed, and coalesced around many smaller communities strewn throughout the empire, with a combination of religious and lay leaders at the helm acting as intermediaries between the state and their people” (Barkey & Gavrilis, 2016, p. 26). From a different viewpoint, the communities in vital zones for the empire could often have a greater autonomy than others. To set an example, since its residence in the critical area between the Ottomans and the Safavids, “Kurdish territories were subject to a negotiated settlement, to increased autonomy, to less taxation and to some special privileges” (Barkey & Gavrilis, 2016, p. 27). When examining the hierarchy, relatively smaller groups of the empire often subordinated to any of the three *millets* mentioned above by the Ottoman authorities, usually for some political reasons. “For example, the Greek Orthodox

¹⁷ Later discussed in detail, see cont. of this section and also section 2.

Church had jurisdiction over many different ethnic groups, such as Greeks, Albanians, Bulgarians, Serbians, Moldavians, Ruthenians, Syrians, Arabs and Melkites” (Barkey & Gavrilis, 2016, p. 26). In this sense, as Ortaylı entered in his study called *Osmanlı İmparatorluğu’nda İktisadi ve Sosyal Değişim-Makaleler 1* (2000), the Greek preponderance was quite visible, particularly on the small Orthodox nations of the Balkans (Jelavich & Jelavich, 1977, p. 9), especially in religious and cultural terms through the patriarchate in Constantinople, which was heavily under the Ottoman control (pp. 282-283). As another example, whether we accept Muslims as a separate *millet* or not, as Jelavich (1977) asserts, distinctive rights of Muslims compare to non-Muslims, and the fact that non-Muslims were already assumed as unequal but protected units pursuant to principles of *millet*, further contributed the primitive hierarchy in the system.

Ultimately, the *millet system* was basically aimed for two ends. The first of these, as explained above, was to allow a broad autonomy for the various minorities of the empire, which were geographically dispersed on a large scale. The second, which was a more instrumental one, was to make sure that the empire’s non-Muslim subjects were staying loyal to the state and to keep them under the control through the medium of their community leaders (Ortaylı, 1984, p. 104). At this point, the intermediaries became so vital for the systems functionality. As per the system, the state renounced its administrative authority over the internal affairs of the communities in exchange for obedience and regular collection and transfer of taxes to the center. In this circumstances, these internal authorities were assigned to community leaders on behalf of those communities, what considerably reduced the burden of the *Sultan* regarding to restoration of the order. From that moment on, those who was liable to look after the *nizam* in the regions were becoming these religious intermediaries. Right along with the effect of intermediaries, by its very nature “the millet incorporated many communities of diverse regional and geographic origin under the same religious umbrella, with the overall effect of preventing the consolidation of large-scale territorial movements against the state” (Barkey & Gavrilis, 2016, p. 26). Under favor of such mechanisms, the *millet system* for the *Sultan* also meant the removal of any possibility of any major

opposition in any part of the state. Hence, these purposes were precisely the sum of the strategic beneficiaries that the *Sultan* obtained from this system and handled resplendently by Barkey and Gavrilis (2016) as the final word,

The millet system allowed rulers to efficiently organize the empire's population into communities and to devolve power to trusted intermediaries and community leaders. These intermediaries did much of the work in governing the community and in resolving conflict that took place within the community and with other millets. It also allowed the ruled to feel confident as a recognized community with tangible autonomy in the religious and legal realms no matter where they resided in the empire (p. 24).

Despite all the above-stated accumulation of *shared rule* and *self-rule*, which are the basic components of the idea of federalism, *Devlet-i Âliyye* in the 19th century also suffered from the fate of the Tzardom. *Porte*¹⁸, what began to face several nationalisms developed by its people who were its subjects throughout the centuries, and at the same time tried to reorganize several components of its system that was distorted by making radical reforms, also erode the *millet system*, which it have applied for hundreds of years, in order to prevent the western Great Powers from interfering with its own internal affairs by taking advantage of Christian minorities of the empire, as Barkey and Gavrilis (2016) has it (p. 27)¹⁹. In this manner, “the nineteenth century *tanzimat* reforms proclaimed the equality of all Ottoman subjects regardless of religion...” (Barkey & Gavrilis, 2016, p. 27) and “by 1869 Ottoman law recognized all non-Muslims as citizens of the empire” (Barkey & Gavrilis, 2016, p. 27); however, the residual form of the millet system, in one way or another, still continue to patrol the geographies where the Ottomans ruled in times past as in Anatolia, Egypt and Bilad-al-Sham.

1.1.3 Ottoman Administrative Arrangements in Bilad al-Sham

Bilad al-Sham had been under the administration of the Ottomans for about four hundred years and through long ages it had become one of the regions where

¹⁸ The Ottoman government.

¹⁹ See also (Shaw, 1985).

the empire was perhaps the most solicitous about. So much so that when the centuries old Ottoman's policies and the perceptions of the late Ottoman intellectuals towards this region were examined, it would be easy to understand that the Ottomans were indeed paid special attention to Bilad al-Sham²⁰. In this context, one of the foremost issues that the Ottomans were meticulous about was the administrative arrangements taken place in this region. This arrangements in question, is momentous for this study in terms of demonstrating that the Ottomans has reinforced and enriched their above mentioned approaches regarding *regional self-rule* and *shared-rule* with the administrative districts they created.

First of all, Bilad al-Sham is a historical name given to the Syrian geography; but the Syrian geography in question covers a region much larger than today's Syria. This geography was also called as Greater Syria. Therefore, Bilad al-Sham generally refers to the geographical area that corresponds to Greater Syria, and this name has been used mostly by Turks and Arabs for this geography. This area covers today's Syria, Palestine, Israel, Jordan and Lebanon, and even includes the Syrian Desert which a considerable part of it now fall within the western borders of Iraq. Thus, it constituted "an almost perfect geographical rectangle" (Antonius, 1934, p. 524). The name of Syria what we are acquainted with today, however, was used only for the same region in ancient ages and later it was generally preferred by Europeans.

The Ottomans subjugated this region in the year 1516, as a result of the Battle of Marj Dabiq against the Mameluke Sultanate. When the Ottomans first cross over into this region, pursuant to their mindset of conquest, they did not expect anything apart from acquiescence and obedience to the Ottoman sovereignty and the fact that the taxes were regularly collected and transferred to the center. Within this framework, they relinquished their control over the cultural, commercial, economic and social issues to the local autonomous institutions in the region also in compliance with the principles of the *millet system*. With this understanding, according to Bakıaya (2009), in the first phase, the Ottomans did not feel the need

²⁰ See (Kuyumcuoğlu, 2018).

of changing the administrative system already built by their predecessors in Bilad al-Sham, and the former system was largely maintained (p. 13). According to this system, as Hitti (1957) has it, Bilad al-Sham was divided into the regions of Aleppo (*Halep*), Hama, Damascus/Sham (*Şam*), Tripoli (*Trablusşam*), Safed and al-Karak (as cited in Bakıaya, 2009, p. 13) and pursuant to the valuations of Umar (2004) and Taş (2015), the whole region was regarded as the province of Sham or Arab (*Eyalet-i Şam/Arap*) by Ottomans²¹. However, the attitude of the Ottomans changed when Janbirdi al-Ghazali, the *naib*²² of the former Sham *niyabet*²³ of Mamelukes and who was also allowed by Selim the First²⁴ to remain as the *vali*²⁵ of the aforementioned *Eyalet-i Şam* after the conquest of Bilad al-Sham by the Ottoman army, rebelled and proclaimed his independence right after the death of emperor Selim. Immediately after the suppression of this rebellion, the Ottomans found it necessary to make a new administrative arrangement. In accordance with new administrative regulation, in the course of time, Bilad al-Sham was administratively divided into three *eyalet* or *paşalık*²⁶: The first, *Eyalet-i Şam*, composed of ten *sanjaks*²⁷ such as Jerusalem, Gaza, Safed, Nablus, Ajloun, Tedmur (Palmyra), Beirut, Saida (Sidon) and al-Karak; the second, *Eyalet-i Halep*, which consisted of nine *sanjaks* and formed the northern part of Bilad al-Sham; and the third, *Eyalet-i Trablus-ı Şam* made up of five *sanjaks* including Homs and Hama (Bakıaya, 2009, p. 14). In the 1660s, a separate *Eyalet-i Sayda* was formed by setting the *sanjak* of Saida and its surroundings apart from *Eyalet-i Şam*, in order to better manage the region of Lebanon, where it perceived that a special attention and supervision required

²¹ According to the information given by Taş (2000), the status of Aleppo in this period seems to be somewhat different from the other regions. According to him, the Ottomans, after having dominated Syria, had divided it into two parts. The first of these, although it did not appear to be a full state, was the state of Aleppo, given to Karaca Ahmed Pasha, the commander of the Marj Dabiq victory; and the other was the state of Damascus, as told above, which was given to al-Ghazali and covered the rest of the Syrian territories outside Aleppo. However, although two separate states were seen in the administration of two governor, one of whom was an Ottoman and the other of Mameluke, the Ottoman state regarded these two states as one, as again mentioned above (p. 78).

²² Mameluke's version of governor.

²³ Mameluke's version of state or province, regentship.

²⁴ The conqueror of Bilad al-Sham who became known as Sultan Selim the Stern, *Yavuz*.

²⁵ Ottoman version of governor.

²⁶ Ottoman version of state or province.

²⁷ Subunit of state or provinces.

(Baktiaya, 2009, p. 14). So, the number of states came out fourth²⁸. Despite some minor changes, this administrative structure to a large extent preserved during the 18th century. Thereby, when the 19th century came, Ottoman Syria was composed of these four administrative regions.

In the course of the second half of the 19th century, the different districts of the empire, especially in cultural, economic and commercial terms, showed quite different developments. Therefore, the regions of the empire and the cities of those regions started to differ from each other with regard to their commercial and economic integration with the different regions of the world and, of course, with rising Europe. In this context, the European states were putting serious pressure on the Ottoman State to strengthen the integration of the respective regions with themselves. This pressure was often based on justifications such as social tensions and disorder emerging in the different regions of the empire. One of those which came to the top of these regions was undoubtedly the Lebanese one. This region was one of the fastest-growing in the empire with respect to economic and commercial development due to its large hinterland, and also it was very much prone to the social explosion due to its highly complex demographic structure. So much so that during the second half of the 19th century, violent clashes between the Druse and the Maronite communities, two important Lebanese congregations, became uncontrollable. In this context, in order to increase the integration of the region with the West and to prevent the repetition of armed conflicts and massacres, an international treaty called *Lübnan Nizamnamesi* concluded in 1861, which established the Mount Lebanon Mutasarrifate (*Cebel-i Lübnan Mutasarrıflığı*) in the Lebanese mountains, as a result of the political oppression of the European states on the Ottoman Empire. As Engelhardt specified in his volume called *Tanzimat and Turkey* (1999), according to this regulation, a single ruler, *mutasarrıf*, would be chosen from the majority sect (Christians at that time) in Jebel²⁹, who would directly attached to Constantinople and have all the authorities of the

²⁸ Umar (2004) says that Raqqa was also a separate state, and thus the number of states was five (p. 14).

²⁹ Region of Mountainous Lebanon.

executive power of *Sublime Porte* (pp. 169-170). Besides *mutasarrıf*, a parliament would be formed that each congregation elected two members pro se, and this practice would be applied even in the smallest local units like *nahiye*³⁰ as was the case with major units, which the Jebel was an exceptional case for the latter (Ortaylı, 1984, p. 106). Thus, the powers of appointment, intervention and also the patronage of the central administration on Jebel in many respects were very limited. According to Bakıya (2009), with this status, Jebel nearly gained independence in civilian, judicial and financial matters and, as it remained independent of the governors of the other provinces, it also had no responsibility for the Center except for a certain annual tax (pp. 21-22). Moreover, according to this charter, public security services were also subjected to local autonomy, indicating that this region was becoming independent from the center even in terms of security (Bakıya, 2009, p. 22). In this sense, Lebanon had become differentiated from all other provinces and even from favored regions of the empire and had become the most extreme example of decentralization within the scope of *shared rule* and *self-rule*.

The administrative order of the empire were subject to a major change with the announcement of *Vilayet Nizamnamesi* dated 1864. Therewith, the administrative division in many regions of the Ottoman State has undergone a great reformation. In accordance with this amendment, the *eyalets* formed from *sanjaks* were removed and instead large *vilayets* with *livas* were established; and Bilad al-Sham also got its share from these changes. Within the scope of the regulation, a large *Vilayet-i Suriye* was established by combining the *eyalets* of *Sayda* and *Şam* (Ortaylı, 1985, p. 53). This meant that the name of Syria, which had not been mentioned in any previous administrative formation of this empire, began to be used (Umar, 2004, p. 15). This also signified that Beirut, one of the fastest-growing cities of the empire in economic and commercial terms, would also participate in this *vilayet* as one of its *liva*; because Beirut, according to the last administrative arrangement, was the central *sanjak* of the previous *Eyalet-i Sayda*. The same alteration took place for Aleppo after a very short time and *Vilayet-i Halep* was

³⁰ Township.

constituted. This new province was expanded in a way to include Maras and Urfa that are remaining within the borders of today's Turkey (Baktiaya, 2009, p. 19). In the following process, in 1882, due to its religious importance, Jerusalem became a separate *mutassarifiya*³¹; by this way the second³² semi-independent structure was organized. When it came to 1887, some *livas* left in the *Vilayet-i Suriye* during the formation of the provinces were desorbed from the aforesaid province. By doing so, separate *Vilayet-i Beyrut* was formed and Beirut was accepted as the center of this new province; but, as Baktiaya (2009) identified, it was interesting that the province was formed of two parts that are not adjacent to each other. The one in the north was made up of Tripoli and Latakia; while the southern one consisted of Nablus and Akko *livas*; and the region that separated these two parts from each other was the afore-cited Mount Lebanon Mutasarrifate, which given a special status. Beirut³³, the capital of *Vilayet-i Beyrut* and the only remaining *liva* of the province that is not counted among the ones accounted afore, remained in the midst of this Mount Lebanon Mutasarrifate (p. 18).

By taking these administrative arrangements into account, it is easy to observe that the *hierarchy* and *asymmetry* that the Ottomans had built in the *millet system* have been carried over here. For example, until the 19th century, the pasha³⁴ of Sham hierarchically had a *de facto* superiority over the pashas of Tripoli and Saida (Baktiaya, 2009, p. 14), and some administrative authority differences stemming from this superiority were protected by the empire for some strategic and geopolitical reasons. To give another example, Lebanon had a relative autonomy compared to other regions because of its multi-ethnic and multi-sect structure from the time it first entered the Ottoman administration and was always subjected to

³¹ In Ottomans, the states were governed by the *vali*, and the sanjaks by the *mutasarraf*. For this reason, *mutassarifiya* was like an autonomous sanjak administration directly connected to the center of the empire without being bound to any *vilayet*.

³² Umar (2004) asserts that Zor was also proclaimed as a *mutassarifiya*, therefore, he speaks of three *mutassarifiya* in Syria (p. 17).

³³ According to Baktiaya (2017), the cultural, economic and commercial development that this city has shown was of course quite effective regarding Beirut's promotion from an ordinary city to a capital of a newly organized state; but the main reason was center's desire to have also a governor in duty, not just a *mutasarraf*, in such a fragile zone, by the side of Mount Lebanon Mutasarrifate (p. 18).

³⁴ Another name for *vali*, governor in Ottomans.

separate treatment even before it gained special status in 1861. As Hitti puts it in his study called *History of Syria* (1957), during the eastern campaign of Selim the First, a delegation of Lebanese emirs visited his-majesty and acquainted that they had allegiance to him. In return for this, the emirs were obtained a promise from Yavuz saying that their present position would be preserved. This also meant that the Lebanese emirs were going to continue their autonomy that they attained in the time of the Mamelukes (pp. 665-666), as it happened later. Thereby, as Umar (2004) corroborated, the feudal structure in Lebanon was generally maintained, while the rest of the Greater Syria was governed directly by the governors appointed by Constantinople; and the lords and the emirs in this region were semi-independent, although they officially attached to the governor of Saida (p. 15). At this point, Barkey and Gavrilis (2016) draw attention to this particular situation of Lebanon as well and underline that mountainous Lebanon has been carefully governed by Ottoman officials through *ad-hoc* agreements concluded with influential families and denominational groups of the region for many years. In addition, these two authors indicate that, unlike other regions, Lebanon was usually governed by state officials who were responsible for the sectarian communities rather than administrative tasks³⁵ (p. 33). Thusly, Lebanon differentiated from the other regions of the empire in the Middle East and set an example of a *de facto* asymmetry. Furthermore, this region, became highly integrated into Europe, particularly to France, as of the beginning of the 19th century, and consequently became a “kind of republic” by Edouard Driault’s expression (as cited in Bakhtaya, 2009, p. 21) due to its increasing *de facto* autonomy. On the other hand, this *de facto* asymmetry and hierarchy, which actually existed until the 19th century in the administrative system of the Ottomans, became *de jure* in consequence of the above-referred *nizamnames* putted into practice in the second half of the century. Based on this, several administrative units were established within the boundaries of the Bilad al-Sham, which officially have different jurisdictions and statutes (*mutassarrifiyas* vs. *vilayets*); in this sense, Lebanon, in particular, was equipped with very special

³⁵ Normally, in the Ottoman Empire, the administrative officials like *valis*, *mutasarrıfs* or *kaymakams* were responsible for their regions, not specifically for any community in these regions.

privileges unlike the other provinces, and the authority of the Ottoman central administration over Lebanon was very much restricted in comparison with the other regions, which were clearly an indication of a hierarchy and asymmetry that can be seen either during the French mandate.

1.1.4 French Mandate in the Levant

The Middle East, today infamous for its chaos, is the result of the First World War and the subsequent French and British mandates, both developed after the period discussed above. This is also no different for the Levant countries, which by and large include Greater Syria. On an introductory basis, in the case of Syria and Lebanon, the French mandate went far beyond the arrangements of the Ottomans, which was mostly for administrative purposes, in a way that it might be called as “partition”; in the sense that these regions from time to time preferred to be managed in a rather fragmented integrity or firmly as discrete parts, which in turn underlie the chaos that would last for many years in geographical Syria and eventually spread even to this day.

In fact, the lines that dismember the Arab territories of the Ottoman Empire and also the Greater Syria were primarily dated back to the Sykes-Picot agreement on 16 May 1916, which was conspired among Great Britain and France during the First World War even when these territories were not abandoned by the Ottoman army yet. According to this agreement, Mesopotamia (Iraq), the Gulf region and the Palestine would be given to Great Britain; and the coastal Syria and the eastern parts of it had been decided to be left to France. Thus, the Levant region, which expresses the regions of the Arabian geography extending from the Eastern Mediterranean coasts inward, would be apportioned as the south to the Great Britain under the name of Palestine and the north to the French by the name of Syria. This also meant that the rectangle that known as Greater Syria for centuries, would be dismantled. In the following process, as of 1918, the war ended with a catastrophic defeat for the Turks, and they had to withdraw from the territories that had shared among the Entente States two years ago; so that the 400-year-old Turkish rule in the Arabian regions came to an end. The Entente Powers, who entered these lands

to fill the terrains left by the Ottoman forces, in the initial analysis, faced with the *vilayet* arrangements that the Ottomans had left behind. The situation was also same for the forces entered in Greater Syria, as can be understood from the things explained afore.

The final form of post-war settlement for the Middle East was decided in the Conference of Ambassadors, which was convened in San Remo on April 24, 1920, so that the former Ottoman *vilayets* were officially divided in units called mandates³⁶ between the British and the French. In accordance with the decisions taken at this conference, also consonant to the deal in Sykes-Picot, from this date onwards, Iraq and the south of the Greater Syria came under the rule of Great Britain and the north fell under the hegemony of France officially; and, as indicated by Fildiş (2011), these regions have been put into a very arbitrary and artificial fragmentation by the mandate governments of the countries in question (p. 130). As Antonius (1934) explains, the boundaries that were not previously existed in the region were drawn, thus the historical integrity of Greater Syria was brought to an end, which according to Antonius is actually one of the most striking causes of today's chaos in the Middle East:

Soon after the Allied occupation, when the settlement began to take a final form, a frontier was drawn roughly half-way across Syria from east to west, breaking the rectangle into two parts. The southern part, which was called Palestine, was assigned to Great Britain, and the other, which was called Syria and the Lebanon, was assigned to France (p. 525).

This first dismemberment, which Antonius made reference to, was done by a convention between Great Britain and France on 23 December 1920. With this convention, the boundaries of Syria and Palestine were drawn in detail. Later on, “the southern part was further subdivided into Palestine, on the west of the River Jordan, and Transjordan-an entirely new name-to the east of the Jordan” (Antonius,

³⁶ As Fildiş has it, “according to the principle of the mandate, an “advanced” state was going to tutor a less-advanced state in the complexities of democratic self-government until it was ready to rule itself” (p. 135); however, for locals, “it was perceived as a liberal concept that covered and “legitimized” outright imperial control” (p. 135). It's largely due to the fact that, especially in the case of Syria, it is quite doubtful how much the French fulfilled their mandate responsibilities. For more information, see (Fildiş, 2011, pp. 135-139).

1934, p. 525) by the British. When it comes to the north, the situation has developed somewhat differently. The French took one step further than the British and established a number of quasi-states (Fildiş, 2011, p. 130) in the domains of both the Sunni majority and the sparsely populated but concentrated minority, in the ‘remaining’ Syria. This fragmented structure of the north has constantly changed over the next twenty years and has often become extremely complicated.

There were, of course, some justifications why the French prefer such a way of ruling in Syria. In the process from the Ottoman withdrawal to San Remo, the French had faced an Arab nationalism, in particular during the short-term rule of Emir Faisal in Damascus, which could significantly impair their own affairs; such that the French could not fully control Syria except for Lebanon until Faisal removed from Syria in July 1920. Thus, the way for the French to make their mandates dominant over Syria was to break down this nationalism or any kind of imminent Pan-Syrian stance that might have contributed this nationalism. Moreover, one of the reasons for the French to accept any mandate in this region during Sykes-Picot was that to keep a lid on rising Arab nationalism and to avert it to spread to the French zone of influence in North Africa. In that case, the Arab nationalism in question should have been limited as far as possible. The French have convinced themselves that there are two ways of doing this: “First, Syria should be divided into segments to block nationalist sentiment and action; second, there should be an indigenous façade behind which the French would be in control” (Fildiş, 2011, p. 132). Thereby, nationalist tendencies could be broken through the mandate, or at worst, be isolated from other parts of Syria, which also meant that these movements were neutralized, so could not spread to other regions. As it can be seen below, what the French did was exactly that.

In this regard, the French began by establishing *État du Grand Liban*³⁷ as a first step of their task in northern part of Greater Syria. When they first came to this region, the French witnessed that, unlike the Muslims who supported Faisal, the Christians, especially the Maronites, who formed the small majority in the

³⁷ Greater Lebanon.

population of the historic Lebanese region (B. & L., 1940, p. 844), looked at them with sympathy and in this context an expanded Lebanon under French protection was regarded by them as the only way out for their security (Fildiş, 2011, p. 133). This Maronite request seemed quite attractive to the French, and eventually a separate Greater Lebanon was founded in August 31, 1920 in the vicinity of mountainous Lebanese region, which was a part of territory left to the French to the north of Greater Syria; but the problem was that Beirut, which included Christian and Muslim population in close proximity to each other, and predominantly Muslim coastal cities such as Tripoli, Sidon and Tyre was added to the mountainous region dominated by Christians, largely in the name of the establishment of Greater Lebanon. Meanwhile, the Beqaa Valley, where overwhelmingly populated by Muslims, was also placed within the borders of Greater Lebanon. Thus, the ground for the ongoing conflict has been prepared in Lebanon: the Shiites, the Druses and especially a significant part of the population of the Sunni Muslim territories newly incorporated to Greater Lebanon, were refused to be part of *État du Grand Liban*, which was established as a political entity dominated by the Maronite, who have remained in the minority due to new additions, and act under the auspices of the French. This led Lebanon to become a country full of sectarian violence in days to come.

Following Lebanon, the French continued their policies of *divide et impera*³⁸ in the rest of northern part. To do this, as it was in Lebanon, they have instrumentalized the minorities who were afraid of rising Sunni-dominated Arab nationalism, and they have disintegrated the region on the basis of ethnic and religious units. By doing so, in a similar vein in Lebanon, they would have avoided any possibility of national unity of Syrians. To this end, firstly, in 1920, the French High Commissioner formed two separate states, *État d'Alep* and *État de Damas*³⁹. According to this structure, large cities such as Homs and Hama were located in the State of Damascus; and *the Sandjak d'Alexandretta* benefited from a large autonomous government within the State of Aleppo due to its intense Turkish

³⁸ Divide and rule.

³⁹ The State of Aleppo and the State of Damascus.

population⁴⁰. Both of these two states were administered by local administrators backed by a French adviser. Following this, the Jabal al-Druze region, the southernmost corner of the remaining Syrian territory that populated by the Druses and contained the important town of Swaida, obtained a separate autonomy with its own governor and elected congress, and was later declared totally as a separate unit called *État des Druzes*⁴¹ or *Djebel Druze*, in line with the aforementioned policies of the French mandate. Likewise, the mountainous Alawite terrains behind Latakia became a special administration under French protection and later proclaimed as a separate province, *État des Alaouites*⁴² or *Le territoire des Alaouites*. By the year 1922, except for Jabal al-Druze region, Aleppo, Damascus and Alawite states were united under the name of *Fédération Syrienne*⁴³; but this federation was dispersed at the end of 1924 when the Alawites were seceded from the federation. In place of this, *État de Syrie*⁴⁴ composed of the former Aleppo and Damascus states, which were also remained over Syrian Federation, and the Sandjak of Alexandretta again as a semi-autonomous entity were formed in 1925. From this date onwards, the major towns of Syria - Damascus, Aleppo, Hama and Homs - were all managed together until the end of the mandate within the borders of State of Syria, and as from 1930 they were governed under the name of *République Syrienne*⁴⁵. On the other hand, Greater Lebanon began to be ruled as a republic apart from Syria since 1926, with the capital city of Beirut and by the name of *République Libanaise*⁴⁶. As concerns the Alawite and Druze states, these were always excluded from Syria until 1936 and eventually they were included in the Republic of Syria in accordance with the Franco-Syrian Treaty of Independence⁴⁷, which was concluded within the same

⁴⁰ The Sanjak of Alexandretta became autonomous in accordance with the Article 7 of the Franco-Turkish treaty of 20 October 1921, which also known as Ankara agreement. This treaty, at the same time, determined the northern borders of newly emerged Syria, and “provided for the evacuation by France of Cilicia, and established a frontier roughly following the line of the Bagdad railway” (B. & L., 1940, p. 843) between Turkey and Syria.

⁴¹ Jabal Druze State.

⁴² The Alawite State.

⁴³ Syrian Federation.

⁴⁴ The State of Syria.

⁴⁵ Republic of Syria.

⁴⁶ The Lebanese Republic.

⁴⁷ This treaty was not approved by the French legislation.

year. It was decided that the same situation would be applied for Alexandretta as well; however in 1937, France and Turkey, under the auspices of the League of Nations, had reached an agreement on a new status for the Sandjak of Alexandretta and the *Autonomous Republic of Hatay* was founded as a result of it. In the process that followed, the Hatay State declared its independence from Syria in 1938; then a year later, it decided to join Turkey. Herewith, today's Syria showed up so as not to include Lebanon and Hatay.

By looking at the above design, it would appear that there were some experiences gained, even if just a pinch, with regard to the idea of federation in the period of the mandate in Syria; although the French High Commissioner instrumentalized this in order not to establish a national unity among the regions of the country. For example, in the context of the *shared-rule* and *self-rule*, because of the responsibilities given by the League of Nations to the mandate governments, the French have delegated local administrators and councils and authorized them in some respects, even if the fact that French advisers and administrators were the arbiters. On the other hand, although the nationalists in the country wanted to see a unitary centralized Syrian state and fled in the face of any federal structure that recognizes autonomy in the regions where minorities live; the establishment of numerous ethnic-based autonomous structures in different status were exercised in Syria. Furthermore, there were attempts even to install some federative structures as in 1922. In addition to these, it seems that the *asymmetric* and *hierarchical* exercises were also lasted in the region in the framework of these federation-like experiences. To give an example from the asymmetry aspect, Alexandretta was governed by a separate autonomy that no other region had almost in every period of mandate, due to its special condition related to Turkey. This provided it a distinct status and a privileged position. Similar asymmetric practices continued even after the Franco-Syrian Treaty signed in 1936. For instance, "the Syrian Treaty provided for the inclusion of Latakia and Jebel Druse in Syria with special conditions for a degree of autonomy for these territories" (B. & L., 1940, pp. 848-849). From the aspect of hierarchy, the mandate government had chosen to give diverse status to different areas time to time. To exemplify, by 1930, the region of four major cities

was called as the State of Syria, while Lebanon had become republic in 1926, which created some hierarchical differences among these entities. As another example, the status of Alexandretta has never been amended as state as the others, which caused it to be subordinated almost every period hierarchically. Nevertheless, it is still necessary to not to overstate such experiences in the mandate period; because during that era France tried to direct Syria as a colony, bearing in mind its own strategic interests rather than the responsibilities that the mandate had imposed on it⁴⁸, as expressed above in detail. In this manner, the basis of the conflicts that Syria would have in the long term was laid in this period, and the picture that emerged when the mandate came to the end was not at all pleasant in terms of the mandate goals set by the League of Nations: “After nearly 20 years of the mandate, Syria remained without independence, without institutions of self-government and without territorial unity” (Fildiş, 2011, p. 137), which would in turn negatively affect the idea of federalism in Syria and thus curb any possibility to establish a contemporary form of federation afterwards by Syrians while they were having a bad case of *deja vu* about being a federation.

1.2 CURRENT FORMS OF THE IDEA OF FEDERATION

After examining some of the primitive forms of federation, more precisely, centenarian administrative mechanisms that resembles or evokes federalism, it is necessary to look at the contemporaneous forms of it for a better understanding of federalism and the idea of federation. In this context, William Harrison Riker (1975), one of the most successful political scientist, who have ever studied on federalism to date, spoken off three features of federalisms while determining the characteristics of American federalism; and then asserted that these features are generally valid for the idea of federalism (pp. 90-175). Although it is not that possible to share the latter argument (explained in detail below), the qualities that Riker identified are of great importance for the evaluation of present-day

⁴⁸ According to Article 1 of the Mandate Act, responsibilities of the mandate described as follows: an organic law had to be done within three years after the beginning of the mandate administration; local governments and autonomies should be encouraged and the development of the mandate countries in the way of being independent states needed to be fulfilled (Fildiş, 2011, p. 136).

federations. Here, two of them⁴⁹ become significant for this study in terms of directly indicating the forms of federations.

1.2.1 “Coming-Together” and “Symmetric” Forms

Without further ado, the *first* of these features is the one that Riker described beforehand and later called as “*coming-together federalism*” by Alfred Stepan (1999, pp. 20-23). As Riker (1975) puts it, in accordance with this principle, every federation “is the result of a bargain whereby previously sovereign polities agree to give up part of their sovereignty in order to pool their resources to increase their collective security and to achieve other goals, including economic ones” (as cited in Stepan, 1999, p. 21). Stepan defines this kind of federations as federations ‘coming together’; because the essential thing is that the former sovereign units, which were relatively autonomous of each other before they collaborated, voluntarily come together for mutual advantage. However, Stepan disagrees with Riker respecting the argument that ‘coming together’ is the only way for federations to occur, and says that federations could be formed by other means. From his point of view, it is nothing but the conceptual stretching that Riker had done. In this context, according to Stepan, there are also “*holding-together*” and “*putting-together*” federations (1999, pp. 22-23), which will be mentioned on the advancing pages of this section. As for the *second* one, it is related to how the competences distributed among the units that come together as a result of the federal bargain. As might be expected, before the bargain determines how the powers will be deconcentrated among the former sovereigns while they are coming together. In this sense, if powers are equally distributed to these units, it indicates to “*symmetry*”; however, contrary to what Riker claims, it doesn’t exist any sameness in this regard as well and there are different modus in the matter of power-sharing

⁴⁹ The third feature, *demos-constraining*, relates to the creation of institutional systems that protect individual rights from being violated by the elected government and thus from the tyranny of the majority. For example, to build a bicameral legislature, which the second-chamber has an equal number of representatives from sub-units and strong prerogatives to limit the power of the first chamber, and thus disallow the popularly elected and proportionally represented first chamber to dominate the political system altogether. However, this feature goes beyond the scope of this work; because it is associated with democracies rather than the forms of federations, and therefore is not addressed within the context of this study.

such as “*asymmetric*” samples, as Stepan puts it again (1999, pp. 29-32). This will be discussed later in this chapter as well. Above all, what is the decisive factor here is that the constituents of federal systems in different countries were driven by different causes and targets; therefore, the federal systems have different features in different countries. In that case, if it needed primarily to go through the concepts that Riker identifies and then to study on alternatives, the examination of the United States becomes essential at first.

1.2.1.1 United States of America

The federal structure that the United States has is the oldest and perhaps the most popular of the wide range of contemporary options of the idea of federation; and is also considered one of the most successful at the same time. When viewed from this aspect, it reflects the most familiar form of federalism. First and foremost, the United States has a federative structure born out of a voluntary bargain; what actually makes free will the essence of this federative understanding. To understand this, it is necessary to take a brief look at the formation of American federalism. Thirteen colonies, which proclaimed their independence in 1776 from Great Britain, the empire on which the sun never sets, and then felt the need of collaboration, attempted to unite their powers by signing the Articles of Confederation and Perpetual Union in 1777. Thus, they formed sort of a confederal government with very weak powers; but, not surprisingly, it caused chaos after a short time. Therewith, the member states began negotiating to form a new administrative system. It was obvious that the failure of the Confederation has convinced all member states to the necessity of a governing organization in which the center was stronger. As a result of this, a new constitution was signed in 1787 with the *Great Compromise*, which came as a result of tough negotiations, and this new constitution entered into force in 1789. So, the states, which had previously been autonomous, came together and pooled their sovereignties to achieve a more successful union and to provide common defense; but the critical point here is that this never meant that their sovereignties would disappear. Units that bring such federations would also “bargain successfully for the retention of much of their

previous identities and sovereignties” (Stepan, 2000, p. 136). Because of this, states reserved so much rights for themselves and it created a strong state tradition. Pursuant thereto, in US, as in Switzerland as well, the states came together this time in a federation, by maintaining their own individual identities. Therefore, the United States, which has similarities with Switzerland and Australia in this respect, is a ‘*coming-together*’ federation in its origin and the closest one to the ideal type of this kind of federations by basing completely upon the freewill of states without any imposition.

Secondly, during the formation of the federal system of the United States, there was a remarkable emphasis on the sense of equality. This stress on equality had prevented the emergence of any differences in terms of competences between states while they were coming together; and forced them to compromise. Because, if the states obtained different powers, it would mean that the citizens living in these states could not benefit from equal rights. Such a system would clearly violate the principle of equality and create new inequalities with regards to legitimizing collective or group-specific rights rather than the individual ones. As Stepan (1999) notes, the notion of collective rights, as in the *millet system*, was not traditionally consistent with American system of thought (p. 31). According to this mode of thinking, the individual rights are at the top of the hierarchy of norms and must be absolutely guaranteed by the constitution. Everyone should be equal before the law and equally benefit from its protection. In this context, one of the most fundamental tasks of the administrative center, as Alexis de Tocqueville said, is to make these rights sustainable by ensuring the rule of law throughout the country and to check whether these rights are exercised. Moreover, this sensitivity was further increased in the post-segregation era and any collective right harshly started to “seen as incompatible with the principled equality of the states and with equality of citizen’s rights” (Stepan, 1999, p. 21). Taking into account all of these purposes and principals, a federal system had been established in the United States that promote equality between states and therefore among its citizens. Thereby, “as a result of the federal bargain that created the United States, each of the states was accorded the same constitutional competences” (Stepan, 1999, p. 21); and “U.S. federalism

is thus considered to be constitutionally *symmetrical*” (Stepan, 1999, p. 21) in its structure.

1.2.1.2 Federal Republic of Germany

Another example that can be given at this stage is Germany. Within this direction, in order to best understand the origins of German federation, it is first necessary to cast a glance over the German unification in 1870. On this rare occasion, it would appear that largely autonomous Germanic lords came together, after an intense power struggle, and converged on the rising values of German language and German nationalism, on a voluntary basis. Hence, this was an example of ‘*coming-together*’ federalism; but volunteering here has developed somewhat differently from the American example. As stated above, in the American case, thirteen colonies came together in equal status via finding the lowest common denominator in terms of interests and declared their intentions to do so; but in the German example, the German seigneurs volunteered to come together only under the leadership of a hegemonic power, which was Prussia. Therefore, Germany was organized a little far from the ideal type of coming-together federations, although it assumed as one of them. Secondly, if needed to review the federation that has been going on in Germany so far, it is understood that this federation was founded in 1949. Within a period of four years, from the Nazi surrender at the end of the Second World War in 1945 to this date, Germany was neither an independent country; nor recognized internationally until the establishment of the Federal Republic of Germany in 1949. In this four-year period, the so-called West Germany was occupied by French, British and American forces, whom formed the Allied Powers during the war. During this period of occupation, the forces in question restructured the traditional *Länder* structure of Germany, and the historic Prussia was obliterated. After all these changes, in the process leading to 1949, the *Länder* elections under the supervision of the Allied Forces were carried out, thus pave the way for the preparation of the constitution; but the domination of the Allied Powers continued during constitution-writing period as well. However, what was remarkable here is that, although the existence of such an

over-monitoring and the fact that the borders of the traditional *Länder* have already been changed by external powers had detracted the federation, which created as a result of the constitution in question, from the ideal type of the coming-together federations as in 1870, we must even so accept Germany as a ‘*coming-together*’ due to the fact that the voluntary association of *Länder* could not be denied.

As for symmetry in Germany, it will be better to mull over the developments that occurred before 1949; it is because very dramatic events that directly affected the collective memory of the German society taken place theretofore. At this very point, the reason of the symmetry in German federative structure differs considerably from that in the US. Here, the cause of symmetry in Germany seems to be the tendency towards centralization emerging in the country especially after World War I. As Burgess (2008) has it, Germany interiorized centralization regarding the historical experiences of the Weimar Republic (1919-33), the Nazi dictatorship (1933-45) and the communist dictatorship of East Germany (1945-89); and this accumulation, by nature, was conveyed to the new federation that established in West Germany as a consequence of the Basic Law of 1949 (p. 39). This law, in legal and economic terms, intended to establish a uniform order throughout the country, thus tried to build a uniform standard of living in each *Länder* of Germany (Burgess, 2008, p. 39). Hereby, the centralized approach in question has created a ‘*symmetry*’ between the regions (Burgess, 2008, p. 39). At this point Germany is really an interesting case. The country, as it has been stated before, was united by the cohesion of previously autonomous princedoms and thus built on a federal understanding; but the thirty-year long process, when counted backwards from Basic Law, was full of traumatic experiences, defeats and partitions for the country, and as a result, the Germans were began to show some centralist tendencies as well. In this regard, the German federal regime, established after 1949, showed traces of both these two. In other words, they tried not to give up their federal heritage but to establish a more centralized system simultaneously. Such a centralization required uniformity among the lands; which in turn led to a *symmetrical* federation. On the other hand, it must not be forgotten that Germany is a mono-national country. In such a case, when it is taken into consideration that

asymmetry is often the result of being ‘multinational’⁵⁰, as Alfred Stepan claims (2000, p. 144), it was not surprising that Germany is a constitutionally *symmetrical* federation in general. In this context, “the post-war evolution of the FRG has been well documented to show that the three cornerstones of German federalism have been liberal democracy, uniformity and *symmetry*” (Burgess, 2008, p. 39).

As is also understood from above framework, German society has always been suspicious of asymmetry and it has often been ill-judged that it may create inequality and injustice (Burgess, 2008, p. 47); however, “the German case has always exhibited a *de facto asymmetry* particularly regarding economic matters mainly as a result of German unification in 1990 and the impact of European integration due to the Maastricht Treaty ratified in 1993” (Burgess, 2008, pp. 47-48). This period onwards, certain lands of Germany began to differ from others particularly in socio-economic matters, which is in line with *socio-economic asymmetry* (see section two for this concept), and one of the best known of these was Bavaria. As Burgess (2008, pp. 47-48) puts it, after 2006, asymmetry was taken one step further and with the federal reforms it has begun to be *de jure*. With this reform, it would seem that the *Länder*, the number of which increased in sixteen with the reunification in 1990, was granted rights that reduced the uniformity. To give an example, the provinces were given the power to divert from federal law and thus legally make their own decisions in some respects. In addition, the common jurisdictions of the federal government and the federated lands were restricted, and some of them were transferred to the federated ones. Thus, the Landers’ autonomy increased relative to that of the former, and this has begun to shape the asymmetry as *de jure*. This points us to the fact that as the trauma of Germany has passed off over time, its attitude towards the idea of federation has begun to change. However, we still need to consider Germany as a *symmetric* federation within this study; because the amount of the asymmetry in this country is certainly not at the level of the countries to be addressed shortly after, and still quite modest.

⁵⁰ Stepan calls “a state ‘multi-national’ if it has territorially based differences (often compounding) based on language, religion, culture, and identities, and there are significant political groups that would like to build political sovereignties, or an independent state or states, around these territorially based differences” (Stepan, 2000, p. 143).

1.2.2 “Coming-Together” and “Asymmetric” Forms

In this framework, if we take this as a mathematical numerical axis or a straight line and continue on the basis of these two Rikerian trait, we can assume that the ‘symmetrical’ and ‘coming-together’ federalism that the United States has is the starting point of this line at the left hand side. As far as the examples given so far, the closest spot to this starting point is Germany, which has the same features with very small differences as mentioned above. However, there is no doubt that this line must have an endpoint on the right hand side. Yet, there is a catch in the journey to the other end: Although these two points addressed by Riker provided a pretty good clarification of the features of US federalism and offered a useful mechanism for the classification of contemporary federations; there are also other democratic countries, which embraced federal systems but preferred not to pursue the US or German line, as Stepan has objected to Riker in his study called *Federalism and Democracy: Beyond the US Model* (1999). It indicates that, contrary to what Riker claims, the existing features of the US system are not generally valid for all federations and the idea of federalisms in different cultures. In this regard, the federative systems developed by some of these countries could have similar characteristics to those of American federalism and at the same time have features contrary to it; however, some of them formed federative structures that could consist entirely of alternatives to these two points. So, the latter one is exactly refers to the endpoint. As for the former one, which fall to the middle of the straight line, will be discussed under the title of this part at the moment. That is to say, an example will be reviewed now, which is both convergent in one aspect and divergent on the other with the US and German samples in terms of these two Rikerian features. The convergent feature is that the federation to be addressed in this section is also established in accordance with the ‘coming together’ principle like the previous ones. However, what is divergent here is that the sub-units of the federations, which to be dealt with hereinafter, are not “accorded the same constitutional competences” (Stepan, 1999, p. 21); therefore, the federations in question include “asymmetrical arrangements that grant different competencies and group-specific rights to some states” (Stepan, 1999, p. 21). In other words, it is not symmetric, but ‘asymmetric’.

1.2.2.1 Canada

Within this context, the first example that spring to mind is Canada. Canada is not an example that differs from the US and Germany in all aspects, most probably due to the fact that it has similar cultural infrastructure with them; but yet, it also contains some noteworthy features that are not akin to the US. First and foremost, almost all provinces of Canada are mostly composed of English-speaking communities; but there is an exception. This exception is Quebec, the largest province of Canada in terms of geography, and the only province in which Canada's French-speaking citizens predominated. The historical Quebec, from 1608 until 1763, was under French rule (Stepan, 2000). However, as a result of the French and Indian War that was the North American front of the Seven Years' War between the French and British forces, the administration was taken over by the Great Britain and the French Canada (Quebec) was annexed to British Canada; but it never came to mean that the cultural presence of the French in Quebec disappeared. Thus, although the French region was not included into the British one on a voluntary basis, Canada has begun to be regarded as a domain of two different societies speaking predominantly of these two languages. Concordantly, the Quebec was divided into two colonies as Upper Canada (Anglophone, the future Ontario) and Lower Canada (majority Francophone, the future Quebec) according to the Constitutional Act of 1791 and it was ruled for almost fifty years by paying attention to this difference. In the following process, a federation based upon the principle of democratic self-rule was built in this country by relying on Anglophone and Francophone partnership, when the UK, which ruled the domain until 1867 as a colony, encouraged the establishment of a local government in which even French could enjoy some rights. Therefore, these two communities of Canada '*came together*' by looking out for their own interests, though a little farther than the ideal type of coming-together principle as seen in the American example due to fact that it was motivated by the incentives of an external power, and constituted the Province of Canada of two different nationalities. Later on, the provinces of New Brunswick and Nova Scotia were also '*come together*' with the Province of Canada,

and along with the Canadian Act of 1867, Canada was declared a parliamentary federation based on the Westminster model (Burgess, 2008, p. 47).

Secondly, the thing that sets Canada apart from the other two is that, Canada is a country that can be called as ‘multinational’ as can be understood from the details above. In this context, it constitutes one of the most cliff-hanging example in the literature of federalism; since, we are witnessing the fact that a country with almost the same system of thought as the United States by tradition and the same system of government as the Great Britain in terms of administration, has to have an ‘*asymmetric*’ structure, both *de facto*⁵¹ and *de jure*⁵², just because of the reason of multinationalism. To be more precise, Canada has a political culture that promotes individual rights as in the American example and a parliamentary system as the British. However, there is an even more dominant situation right here: As Stepan puts it, “in multinational polities, ... some groups may be able to participate fully as individual citizens only if they acquire, as a group, the right to have schooling, mass media, and religious or even legal structures that correspond to their language and culture” (Stepan, 1999, p. 31). This was definitively what happened in the Canadian case. Canada constitutionally confers some collective and group-specific rights to its French-speaking citizens in the Quebec region in order to encourage individual participation of them into political processes, what denoted to a privilege granted to a specific sub-unit comparing to other English-speaking provinces and constitutional *asymmetry* in turn. In other words, Canada guarantees the individual rights of that community, which deemed to be more disadvantageous in terms of its population, through privileged rights granted particularly to that community. Thus, in Canada, liberal thinking and multinationalism overlapped; and this make Canadian case a very distinctive one in which the liberal individualist thought and the multinationalism predisposed to collectivism come across in the same system, then resulted in *de jure asymmetry* at

⁵¹ According to Agranoff (1999), it “refers to asymmetrical relationships or practices that reflect and express socio-economic and cultural-ideological preconditions” (as cited in Burgess, 2008, p. 47).

⁵² Constitutional; or again as Agranoff (1999) puts it, refers to the ones which “is formally entrenched in constitutional and legal processes so that constituent state units are treated differently under the law” (as cited in Burgess, 2008, p. 47).

the end of the day. In Stepan's words, "the struggle to reconcile the imperatives of political integration with the legitimate imperatives of cultural difference has led countries to award certain minorities' group-specific rights" (1999, p. 32) and French-speaking Quebec in Canada is one of the best-known instance among those.

1.2.3 "Holding-Together" and "Asymmetric" Forms

At this juncture, the endpoint on the right hand side of the above-mentioned straight line will be covered in this part. Hence, the examples to be examined in this chapter are in a way to include the exact opposite of the features that Riker identified while explaining American federalism. Under these circumstances, it is time to be faced with unique federations, which were shaped by the same framework of features as Riker asserted; but interpret and implement these features in an antipodean way in compliance with the political culture, goals and social needs of their societies.

1.2.3.1 Republic of India

Here is India, the first example on the other end of the straight line. Until 1948, India had largely a unitary structure; but after the British withdrawal from India in 1947, Indian leaders were convinced that the only way to hold the country together in democracy was to constitutionally delegate some of the powers that the center has to the subunits. One of the most important reasons behind this decision was that India had a 'multinational' society, and it was understood that this diversity could not be kept more in a unitary-like structure as in the British imperial rule. In this respect, the new constitution in 1950 that established by parliament transformed India into a fully federal country, so India was held together. So, what took place was that the democratic, consensual and constitutional transformation of a unitary state into a federal one as a result of parliamentary decision, in order to hold a multinational polity together (Stepan, 2000, p. 142). Stepan (1999) calls federations established for such reasons and in this manner as "*holding-together*" and India is one of the most famous example among those (p. 22).

The example of India is needful to illustrate how 'holding-together' federations differentiate from American-type of 'coming-together' federations. The

first difference arises about the purpose. As previously said, in ‘coming-together’ federations, several units that were already autonomous and perhaps independent of each other come together to build a stronger entity in political, economic and military matters. However, in the ‘holding-together’ federations, the parliament, which realizes that it could not sustain the integrity of the country in a unitary form anymore, creates a federation by devolving a certain parts of the powers belonged to the center to the sub-units and thus maintains its unity. India clearly looks like the latter, and the constitution in 1950 was explicitly designed to ensure the unity of India accordingly to this purpose. Correspondingly, there is another difference emerge between these two systems, and it is seen that the Indian subunits have much less sovereignty than the American states (Stepan, 1999, p. 22). The reasons for this seems obvious: First, in the US, states have very broad competences because it was saliently them, who have decided to coalesce on a voluntary basis and therefore constituted the federation. However, in the case of India, the center, which consented to renounce some of its powers, could be considered as the most influential actor during the projection of the federation. For that reason, powers of the member states was relatively limited and this meant that their bargaining power would be restricted as well (Stepan, 1999, p. 22). In other words, in India the federation was not the result of an agreement between the federated states, but rather a decision taken by the influence of the constituent assembly (Stepan, 1999, p. 22). When viewed from this aspect, it is quite plausible that the non-founding Indian provinces do not have as much authorization as the constituent American states. Second, when it is considered that in the ‘holding together’ federations “political leaders ... came to the decision that the best way--indeed, the only way--to hold their countries together in a democracy would be to devolve power constitutionally and turn their threatened polities into federations” (Stepan, 1999, p. 22), it is articulately understood that the logic underlying the necessity of establishing this kind of federations is to minimize the capacity of the regions that are likely to pose a threat to the center, by conferring them some powers. To put it in different way, the central government wishes to calm down the regions, which have the capacity to be separatist or to present any other danger for itself as long as the unitary

structure exists, through passing into the federation and conferring them some rights; and thus wants to get rid of this danger. However, it is very important in doing so that building a loose federation structure and hence furnishing these dangerous regions with broad powers can cause these regions to become more menacing and self-confident. Therefore, a delicate balance should be regarded here. These units should be empowered to the extent that their complaints would be diminished; however, these powers should not be large enough to make these units more threatening and thus make any incorporation into system impossible. In the circumstances, it becomes inevitable that the federative structures emerging in the 'holding-together' federations tended to be more centralized. Therefore, in such countries the powers given to the sub-units are more limited, which is already the case in India. There is no such danger in the federations that 'come together'. As the third, directly related to the second, it seems that there were other reasons specific to India, and perhaps the most important of them, as Burgess (2008, pp. 44-45) noted, was the division that occurred in 1947, in which Pakistan and India were established as independent states, and therefore the dichotomy on the Indian peninsula. This dichotomy warned the constituent assembly, which would make the new constitution in India in 1950 and thus constitute the federal system, in a serious manner against the threat of separatism and pushed them openly to form a more centralized federal structure (Burgess, 2008, p. 40). So, this caused the sub-units to be given less authority. The other was that in the same way as in Germany, for reasons such as modernization and economic development, India needed to evolve into a more centralized structure, which also meant that the sub-units would have less powers (Burgess, 2008, p. 40).

India is also a country with an enormous population and diversity. So much so that there were 568 princely states in India before independence, and the number of people having different languages, cultures, ethnicities and beliefs in the territories of these old princely states was quite high regarding the large mass of people that the country has, which is about to reach 1.5 billion people nowadays. Moreover, its territorial size is quite large, which makes it more difficult for the remote regions to be controlled by the center. Thus, as in many 'multinational'

countries, India preferred to “assign different linguistic, cultural, and legal competences to different states” (Stepan, 1999, p. 31) in order to hold this multinational demographic structure together, by meeting the requests of its diverse population as a liberal democratic state, which led to *de facto* and *de jure* ‘asymmetry’ in the final analysis. To give an example, Hindus make up a large part of the country’s population; but it is impossible to say that there are no other group which continue one’s emphasis on nationality to a significant extent among the twenty-nine political subdivision of India today. The Sikhs in Punjab, the Tamils in Tamil Nadu, the Bengalis in West Bengal and the Nagas in Nagaland were just some of those (Burgess, 2008, p. 44). Each of these states are subject to certain idiosyncratic and flexible arrangements differently from the others to meet changing requirements, needs and demands of their communities. Some specific linguistic and tribal regulations are within the scope of these arrangements. Likewise, the states of Assam, Sikkim, Mizoram and Manipur could be counted easily among them (Burgess, 2008, p. 48). Also, Jammu-Kashmir, as stated in the Indian Constitution, already has a very special autonomy because of its frontier position with Pakistan and China. According to Article 370 of the Indian constitution, the recognized autonomy for this region directly distinguishes Jammu-Kashmir from other provinces (Burgess, 2008, p. 48). Stepan gives the name “*federacy*”⁵³ to such a very high autonomies. Plus, the Muslim family courts in India can be mentioned in this sense as well, on account of it is a right that is specifically granted to a particular community.

As it can be understood from the above statements, as of today, there are 29 ‘states’ in India. These states have been formed largely on the basis of linguistic differences as a consequence of the States Reorganization Act enacted in 1956, which rearranged the borderlines of the states constituted in the founding constitution of 1950, and the amendments in the subsequent years that have done

⁵³ “A federacy is the only variation *between* unitary states and federal states. It is a political system in which an otherwise unitary state develops a federal relationship with a territorially, ethnically, or culturally distinct community while all the other parts of the state remain under unitary rule” (Stepan, 1999, p. 20). Here, properly speaking, by reason of the fact that India is not a unitary state this is not exactly a ‘federacy’; but given the fact that India has a centralized federative structure, an autonomy given to Jammu-Kashmir on such a large scale no doubt resembles a ‘federacy’.

until very recently. Basically, these states all have their own governments and parliaments. However, apart from these two fundamental rights, these states are often entitled with different degrees of autonomies in direct proportion to the relationship of the center with the ethnic or religious groups that dominate those regions, the demographic magnitude of the groups concerned, or the geographical location of the regions in question. In this context, while the governments of some states have to share more powers with the central government in the matter of governing their regions and thus more dependent on the center; others have less joint jurisdiction with the center in regard to the administration of their states and are more independent. This is simply the reason for the *asymmetry* that emerged in India, as expressed in the previous paragraph. Nonetheless, in any case, the state governments in one way or another have some powers for to govern their provinces. On the other hand, in support of this asymmetric structure, there are also seven ‘*union territory*’ in India. Two of them, Puducherry and Delhi, have their own cabinet and elected assemblies, similar to the states. While the other five union territories excepting these two, contrary to the states, are directly under the hegemony of the central government and ruled by the governors appointed by the President, and again unlike the states, lacking their own cabinet and assemblies. This means that they do not even have the rights of the state, which has the least authority on the subject of self-governance, and that they are formations of much more unitary type. At this point, a dissimilarity come into being both among the union territories themselves and between the union territories and the states, what spread the existing ‘*asymmetry*’ between the states to an even wider ground. What is more, the Indian government has also built *third-tier* units, besides these sub-units, called the ‘*panchayats*’ through recent local government reforms, and thereby further enhanced its *asymmetry* (Burgess, 2008, p. 45).

Other than that, bearing in mind the purpose of the constituent assembly of India when setting up the federation, it could be seen that it is quite logical and even necessary to do so. If a federation was established with the intention of holding the units together, competences that given to federated units should be defined in line with their needs and wishes, so that these sub-units give up the idea of leaving and

consider the option of staying together. Since these needs and desires will also be different for each unit, the competences given to them will also vary. That's exactly what happened in India in 1950. In this regard, it is clear that "under the symmetrical American model, many of the things that are most essential in a multinational context cannot be accomplished" (Stepan, 1999, p. 31) in the Republic of India. Contrary to the American system of thought, in India, *de facto* and *de jure asymmetry* are in fact the source of life for the federation and what keeps it afloat. Asymmetry is almost the only way to ensure order and stability throughout the country. In that case, it can be said that the Indian federation was "an extended discovery of the minimum degree of uniformity necessary for maintaining a coherent union" (Arora, 1995, p. 78).

1.2.3.2 Kingdom of Spain

Another example that can be given in this regard is undoubtedly Spain. By 1975, till Franco's death, Spain had a strong model of unitary state; however, owing to the similar reasons to India, Spanish parliament decided to federalize countries' system afterwards. Thereby, with the constitution made in 1978, which was first approved by the parliament and later by popular vote including the regions of Catalonia and Basque, and then the Statutes of Autonomy in 1979, which determines the limits of autonomies given to the specific regions and approved by Catalans and Basques by the referendum, Spain formally became a democratic federation and it was prevented from being dismantled by creating the system of *autonomias*. In doing so, any subsequent changes to the system were decided to be subject to the approval of both chambers of parliament and to the supervision of the Constitutional Court. This was very important in terms of emphasizing the parliament's lead in the implementation of the federal system as it was in the process of establishing the federation as well, and ensuring that all the changes that could be made were needed to be constitutionally embedded. In this manner, Spain, no doubt, generated a '*holding together*' federation, as the second instance of that kind of federations in Continental Europe after Belgium.

Spain, although to a lesser extent compare to India, can easily be called as ‘multinational’. For this reason, the Spanish parliamentarians thought that they could be able to hold the multinational Spanish community together by establishing a federal system that would allow for significant differences in linguistic and cultural issues, consistently with the holding together mentality. With this logic in mind, Spain began by giving special status to Catalonia, Basque Country and Galicia (Stepan, 2000, p. 146). The reason for this was both the historical status of these regions in the 1931 Constitution and the drafters who presented the 1978 Constitution were well aware the fact that special privileges should be granted to these regions in order to keep Spain on a multinational and democratic basis. This in turn created a constitutionally ‘*asymmetrical*’ structure in Spain from day one. Immediately afterwards, once the 150th article of the constitution inserted as a clause stating that the center could delegate some of its powers to the autonomous regions, other regions in the Spain began to take advantage of some autonomies assigned to these three regions (Stepan, 2000, p. 146); nevertheless, none of the other fifteen *autonomias* have ever had the prerogatives of *Cataluña* (Catalonia) and the *País Vasco* (Basque Country). In this sense, considering the fact that each have granted different levels of competences from that time on, this resulted the *asymmetry* that focused on the regions limited in number to spread throughout the country, what reminded of the example of the Soviet Union.

1.3 “PUTTING-TOGETHER” AND “ASYMMETRIC” FORMS

The part that will be discussed after this point was arising from an example that cannot be slotted exactly into any place in this straight line. The first reason for this is that the model that emerged at the time of the formation of the federation in question does not have any other examples except this one; thence it was a *sui generis* instance. Another reason is that the federation had other unique characteristics besides these two Rikerian features. Therefore, I do not see any harm to call it as the most extreme point of federal systems and not to include it into above-referred line. However, the most important thing is that this point of extremity, by basing on the experience of Tsarism, is exactly the point where the

Russian federalism begun to bloom in contemporary sense. So, let's look at Russia's journey to federalism and in what senses Russian idea of federation differs from the others.

1.3.1 Union of Soviet Socialist Republics (USSR)

Riker (1975) claims that even the Soviet Union, perhaps the most extreme example among the ones that handled in this study, had a federal system that emerges as a result of a federal bargain as such in US and Germany. He, therefore, explains the Soviet Union as a federation that comes together, when the ensuing conceptualization of Stepan was taken into consideration. It was a definite illusion for Stepan and also for me; it is because the facts on the ground demonstrates exactly the opposite. As exemplified by Stepan (2000), by just having a look at what happened in Georgia, Azerbaijan, Armenia, and also Ukraine, it is possible for anyone to see that the situation was not as Riker said (pp. 139-140). For those wondering further, one can also see how the Baltic countries were involved in the Soviet Union and the process afterwards⁵⁴. When examining at least fore-mentioned Caucasian countries, it could be seen that the three previously independent states were invaded by the Red brigades and thus included in the Soviet system under compulsion during 1920s. With this, it could not be possible to talk about any kind of voluntary participation here as in US. Hence, it is not a matter of discussion to speak of a federation that came together in Soviet example. As can be seen, it is also not possible to treat it of a holding together federalism in this case; because these Caucasian states were already formed their national governments after the subversion of the Tsarist Russia and became independent for more than a year before the occupation of Red Army. As they were not in the Soviets before, there was nothing to hold. Thereof, it was needed to come up with a new concept here, and Stepan (1999) does exactly filled this gap by saying that the Soviets was a "*putting-together*" federation (p. 23). In accordance with the above description, this terminology refers to "a heavily coercive effort by a nondemocratic centralizing

⁵⁴ The Baltic States, Lithuania, Estonia and Latvia were involved in the Soviet Union through use of military power during 1940s.

power to put together a multinational state, some of the components of which had previously been independent states” (Stepan, 1999, p. 23), which the Soviet Union well suited.

The fact that the Soviets resorted to such a method of establishing a federation greatly influenced the structure of the federation they founded later. In such a way that the countries, which tried to leave Bolshevik Russia by taking advantage of the authority gap that emerged after the October Revolution of 1917 but was included primarily in the Soviet Russia by force in the 1920s by virtue of the fact that the civil war in Russia began to result in favor of the Bolsheviks and ultimately became the partners of the federation established in 1922 under the name of Soviet Union (namely Armenia, Azerbaijan and Georgia), were given a *first-tier* status and competences in order to ensure that they remain within the Soviet Union. In the same context, the same *first-tier* status and prerogatives were also given to the countries that had been lost under the Brest-Litovsk agreement at the end of the First World War but later managed to be merged with Bolshevik Russia (for short, Ukraine and Belorussia). Within these competences there was even the right to leave. Other than that, the lands, which had been included in Russia by Tsarism in much the same coercive way much earlier so within the boundaries of Bolshevik Russia well in advance (some like Tatarstan, Bashkortostan and Chechnya), were already allowed to obtain official statutes and autonomies before the formation of federation in 1922, pursuant to Lenin’s policy of nationalities and concerns about their secession during the civil war and turmoil until 1922; but the differences in terms of competences between these lands inherited from the Tsarist era had also spread in this period and this has created an ‘*asymmetry*’ within Russian Soviet Federative Socialist Republic. Thereupon, with the inclusion of countries with *first-tier* statues as mentioned above, what rendered the ones within Russia as *second-tier* and *third-tier*, the newly established Union of Soviet Socialist Republics had become a completely ‘*asymmetrical*’ federation as will be described in more detail below. This asymmetric structure continued to increase until the day the Soviets were destroyed. Ultimately, the Soviets had a double-tiered and even more-tiered structure, which needed a further thought.

1.3.1.1 Historical Transformation of the Soviet Federal System (1918-1985)

When we look for a more detailed examination, it would seem that the establishment of the Soviet federal system coincided with the early years of the 1920s. It is even possible to find the roots of this framework in the last years of the 1910s. In this context, it seems to be the best way to take the process first to January 1918. The Bolsheviks, who seized power in Russia by superseding the interim government⁵⁵ incidental to the revolution of October 1917, preconised the 'Declaration of the Rights of the Toiling and Exploited People' in January 1918. This declaration, without doubt, laid the foundations of the Soviet federal system; because it was making mention of the principal of 'free union of free nations' as one of the fundamental elements of the newly established system. This was a new terminology in which the Russian geography was not acquainted with before. Russia, as previously mentioned, had some experience resembling federalism, albeit primitive, in the era of Tsarism; but Lenin and his comrades, ideologically, regarded the vast geography of Russia as a people's prison, in which the Tsarism used to rule. Thereby, Lenin had thought for a long time on a formula to ensure that the oppressed peoples of Russia would come out of this prison. Over time, these ideas formed Lenin's nationality policy, which included the right of nations to self-determination⁵⁶. Accordingly, the Bolsheviks had called the nations of Russia for 'a federation of the Soviet Republics of Russia' (Sakwa, 2008, p. 237) through the aforesaid declaration in 1918, to ensure that these nations benefited from such a right. In the following process, the declaration was included in the 1918 Constitution, the first constitution of Russia after the revolution. In the same year, the resolution of the Third Soviet Congress on the 'Federal Institutions of the Russian Republic' was prepared (Burgess, 2008, p. 27). Thus, the first documents related to the federalism-like order to be established in Russia has been arranged.

⁵⁵ It was founded in order to coordinate Russia's transition process in the aftermath of the February Revolution of 1917, which led to the dethronement of Tsar Nikolay the Second and the collapse of Russian Empire. As understood, it was overthrown by the Bolsheviks via the October Revolution of 1917.

⁵⁶ For further information, see Lenin's work entitled 'The Right of Nations to Self-Determination' of 1914.

According to these initial documents, the Russian Soviet Federative Socialist Republic (RSFSR) was established, where different nations and ethnic groups, which were included within the borders of Russia during the period of Tsarist regime, had different degrees of regional autonomies from each other. The federal state in question, however, had begun to take charge of a country that had narrowed borders compared to ones before 1914. The period of approximately ten years of turmoil, which began with World War I in 1914, continued harshly with the February and October Revolutions of 1917, then followed and peaked by the civil war⁵⁷ that lasted until 1922 in between the Reds and the Whites, cost Russia a lot. During this period, Russia, which had to withdraw from World War I, was forced to pullback from a significant part of its European territory that it had previously held troops, as per to the provisions of Brest-Litovsk agreement. At the same time, some countries in Europe and the South Caucasus, which had previously dominated by Russian Empire, had also proclaimed their own self-rule by taking advantage of the period of fore-stated internal disorder. Thus, at least by year 1918, Russia had lost its influence in an important geography including countries such as Estonia, Lithuania, Latvia, Poland, Ukraine, Belarus, Finland, Georgia, Armenia and Azerbaijan. However, in the ongoing process, once the Germany defeated in the First World War and the civil war in Russia started to result in favor of the Reds, Bolshevik Russia began to re-dominate a substantial part of its lost territory. Although Finland and the Baltic countries were already lost, local Soviet governments were managed to make sovereign in the east of Ukraine and Belarus, in accordance with the Treaty of Riga with Poland⁵⁸; as for the South Caucasus, the Soviet army had succeeded to re-establish its dominance. It was right at this juncture, where the issue of what kind of a structure should be formed for the

⁵⁷ When the Bolsheviks took the lead after the October Revolution on November 7, they were began to confront by the reaction of a grand coalition of Bolshevik opponents, ranging from pro-monarchists and landowners to the liberals and even non-Bolshevik communists, which were briefly named as the Whites. Soon after, this tension turned into an armed conflict and the war broke out among the Whites and the Red forces of the Bolsheviks.

⁵⁸ The country was reconstructed as a result of the First World War, and then waged war against the Bolshevik Russia to get back its old lands that it had lost to the Russian Empire. This war ended with the aforesaid treaty.

nascent state started to be discussed. According to Sakwa (2008), Stalin, the commissar of nationalities, “proposed the ‘autonomisation’ plan to reduce the newly conquered states to the status of Russia’s existing autonomous republics” (p. 237) such as Tataria, Bashkiria, Kazakhstan and Turkestan; however, Lenin, “on 26 September 1922 rejected the autonomisation plan in favor of the creation of a new federation, and as a first step the three Transcaucasian republics⁵⁹ were federated into one⁶⁰” (p. 237). In this respect, the Treaty of Union was signed on 30 December 1922 as the first step towards Soviet federalism and in accordance with this agreement the Russian Soviet Federative Socialist Republic (RSFSR), the Ukraine, White Russia (Belorussia, as called Belarus after 1991) and the Transcaucasian Soviet Federated Socialist Republic (TSFSR) coalesced by way of preserving their legal personality and sovereignty and established the Union of Soviet Socialist Republics (USSR), which would become a federal state. By doing so, the Bolsheviks, both, succeeded to re-rule over some of the countries that had been lost during the First World War and the Russian Civil War, by way of providing the ‘voluntary’ association of these countries with Bolshevik Russia through making the communist regimes dominant over these countries; and, as a matter of Lenin’s nationality policy, also offered *first-tier autonomies* to these four countries in consequence of their role as constituent states of USSR. The countries with these *first-tier*⁶¹ autonomies were named as the *Soviet Socialist Republics* (SSR’s) or briefly the ‘Union Republics’ and were given the right to leave the union whenever they wish. Hence, the status of the nations and communities in the RSFSR, as you may recall which were rigged with different degrees of autonomies immediately after 1918 in compliance with Lenin’s policies, fell to *second*, *third* and even *fourth-tier* levels⁶². The lands of these nations and communities with such lower degrees of autonomies were also positioned with other statuses, such as

⁵⁹ Countries of South Caucasus; Armenia, Azerbaijan and Georgia.

⁶⁰ The reason why Lenin made such a decision was that he was so much aware of the chauvinistic attitudes of the Bolshevik leaders in Armenia, Azerbaijan and Georgia.

⁶¹ If Moscow, the capital of the USSR, and therefore the USSR itself are not counted as a tier, the union republics could be counted as the first tier.

⁶² In the first analysis, 26 autonomous regions were declared in the Soviet Union, of which 22 were in Russia (Sakwa, 2008, p. 237).

Autonomous Soviet Socialist Republics (ASSR's)⁶³ or shortly the 'autonomous republics', *autonomous oblasts* (AO's) and *autonomous okrugs* (AOk's)⁶⁴, from top to bottom according to the importance of their recognized autonomy⁶⁵. This meant that the state that ultimately emerged, no matter how different the autonomies granted to the communities, directly reflected Lenin's principle of self-determination of the nations. Thus and so, the 'asymmetrical', 'hierarchical' and 'ethno-federal' (ethnic-based) structure of the Soviet Union was built.

Within this framework, the most important of all here is, of course, a good understanding of the reasons and needs that led to the development of the Soviet federal system in this manner; because as long as it is understood, the context on which the Russian conception of the idea of federation is based can be studied thoroughly. Thus, it can be understood in more detail how the federative perception of Russia differs from other federative systems. In this respect, the general narrative appertaining to the type of federation developed by the Soviets is that it was a requirement of Lenin's nationality policy and his idea of right of nations to self-determination. However, when a little more detail is obtained, it is not that hard to observe that there are also some studies that puts forward the argument that there was an instrumental objective as well, which hide behind this principled attitude of Vladimir Lenin. At this point, it may be appropriate to touch upon Michael Burgess's thoughts in his paper called *The Russian Federation in Comparative Perspective* (2008). According to Burgess (2008), "the original motive for the formal adoption of federalism first in Bolshevik Russia and then in the USSR was simple and straightforward: it was eagerly seized upon to prevent the secession of the nationalities..." where "the threat of separation was a direct result of the post-revolutionary programme of national self-determination in Russia..." (p. 27). By saying this, Burgess (2008) was saying that the idea of a federation that emerged in Soviet Russia was an instrumental mechanism for the compensation of

⁶³ Second-tier units.

⁶⁴ These two were lower tier units.

⁶⁵ Later on, these ethnic autonomies were added with territorial autonomies, which were established only for administrative reasons and did not derive their autonomy from the presence of any ethnic community, called as *oblasts* and *krais*. For details, see cont. of this chapter, and also section 2.

disadvantaged conditions caused by a principled attitude. In other words, the right of nations to self-determination that Lenin had set forth after the revolution could have caused Russia to lose more and more lands, which had already narrowed borders as noted before. This would have meant that Lenin's idea of revolution was prevented from being able to reach to the other geographies. At this point, federalism, by presenting varying degrees of autonomy to non-Russian nations of Russia, would have sustained them to remain voluntarily in Russia. Moreover, it would have been possible to persuade even the previously emancipated border communities from Russian Empire to be included in the Soviets, while avoiding the existing risk of disintegration in the interior of Russia. The federalism that was to be set up had already been precisely aimed at achieving this two-legged goal. Corresponding to these purposes, the *korenizatsiya*⁶⁶ (indigenization) policy would also started to be encouraged in the upcoming years. In support of this argument, Helene Carrere d'Encausse (1992), as well, stated that what lied at the bottom of the federal consensus that occurred in the Soviet Union was the desire of the Bolsheviks to undermine regional interests; therefore, the Bolsheviks, who had difficulty in providing Soviet control in the border regions of Tsarism throughout the Civil War and the following years, hugged to federalism as a temporary idea (as cited in Lynn & Novikov, 1997, p. 189). At this point, the Bolsheviks needed a justification for the concept of federation in accordance with the Marxist theory. Lenin, who was highly aware of the situation in question, ultimately made this ideological statement and legitimized it as a transitional stage towards democratic centralization. According to this statement, togetherness of nations was necessary for the implementation of the world order envisaged by the Bolsheviks in the widest geographies, and this would be achieved by federalism in the first phase. Thus, although the idea of a federation was not something desirable according to the Marxist system of thought by being seen as a derivative of feudalism, in fact it was accepted by the Bolsheviks, thereby it became possible to unite the different nations

⁶⁶ As per this policy, the use of power that was in the Soviet political system by the titular elites in the autonomous regions, participation of native politicians in the political processes, speaking of native languages particularly in the education, and promotion of the national culture were encouraged.

within a single and centralized state, indissolubly. That is to say, the essence of the matter is that federalism, initially, was not seen by the leaders of the Soviet Union as a desirable goal in a principled and romantic manner; on the contrary, in order to eliminate the danger of dismemberment and to bring different nations together in a socialist order, it was seen as a temporary, necessary, formal and relevant tool or apparatus. But later, this apparatus would turned into a permanent element and sine qua non of the Soviet federalism, exalting as a political myth and ideological symbol under the name of so-called ‘national self-determination of free nations’ and would evolved with other traits.

In the following process, constitutions, which could considered as the continuation of the previous ones and also each other, were made. The first of these was the 1924 constitution, the first constitution of the Soviet Union. This constitution was like a ‘constitutionalization’ of the agreement done between the four countries that established the union in 1922. Thus, it was once again announced that the Soviet Union was a federation composed of the four ‘union republics’ mentioned above. Over the years following this constitution, Turkmenistan, Uzbekistan and Tajikistan were also recognized as the union republics, and the number of federated republics forming the Soviet Union was risen to seven. The next one was the Stalin’s constitution of 1936. With this constitution, the number of union republics forming the federation was now eleven. Kazakhstan and Kyrgyzstan were raised to the status of union republic⁶⁷; and the current Transcaucasian Republic was divided into three as Azerbaijan, Armenia and Georgia. By the 1940s, five more union republics were included in the union as the booties of the Second World War. These were Karelia-Finnish, Moldavian, Lithuanian, Latvian and Estonian republics. Thus and so, the number of SSR’s counted to sixteen; plus, the USSR also became hegemon again in almost all of the European territories of Russian Empire, except Finland and Poland, which had been lost during the First World War and the Russian Civil War and could not be retrieved afterwards, which I explicitly mean the Baltics and the west of Ukraine

⁶⁷ Five Central Asian countries, which have been counted so far, were previously an ASSR within the RSFSR.

and Belarus. Finally, in the late 1950s, in the aftermath of Stalin's death, Karelia-Finnish SSR joined in the RSFSR as an ASSR, so the number of union republics had fallen to fifteen and it remained the same henceforth. Herein, there was a policy implemented during the Stalin period, which was perhaps the most essential thing to mention, besides all these constitutional arrangements: This was, undoubtedly, Stalin's border policy. According to Sakwa (2008), "under Stalin, ... border policy took on a far more instrumental role, and ... they were part of a conscious design to foster ethnic conflict as part of his divide et imperare policy, to make all nationalities dependent on Moscow" (p. 228). In the time of the Soviet Union, the demarcation lines within the boundaries of vast Soviet geography were seen just as the frontiers that divide the territories into administrative divisions rather than being perceived as the official and fixed national state borders of the union republics or other entities. Therefore, Soviet governments were able to arbitrarily move the borders by taking in little or no consideration of historical, ethnic and cultural factors. This situation began to be instrumentalized meticulously from the time of Stalin and was transformed into a systematic policy in order to make the center's influence on the union republics perdurable. Within this direction, the administrative boundaries were drawn by the Stalin administration, which were generally arbitrary, between countries that were members of the union, reflecting neither the historical heritage nor the demographic facts; or any territory of any union republic was transferred to another union republic, cavalierly, without seeking for any condition. As a result of this arbitrariness, some regions were placed in some union republics that were not compatible with the respective republics, both historically and demographically⁶⁸. Therewith, autonomies of varying degrees were given to these regions in the relevant republics due to such mismatches. In doing so, Stalin, spread the *second*, *third* or *fourth-tier* units, which were more often present in RSFSR early on, throughout the Soviet Union and created ethnic-based entities in many of the countries of the union similar to those in RSFSR, which would be the main reason for the bloody conflicts that would take place in the

⁶⁸ For example, the borders plotted in Central Asia are largely artificial and it is often to be seen that some ethnic groups stuck in within the borders of countries of other ethnic communities.

coming years, especially after the dissolution of the USSR⁶⁹. Hence, the *hierarchical* and *asymmetric* structure that dominated the federative structure of the RSFSR began to prevail in almost all of the union territories. In addition, Stalin was also so famous for changing the status of the autonomous regions that was already existing or artificially created by himself, in the same state of mind. The secondary and lower-level autonomous entities that formed the Soviet Union always intended to enhance their status as a ritual. Stalin, at times, responded to these demands and increased the status of certain entities, especially in the period preceding the 1936 constitution; and sometimes did the opposite, as during the days of Second World War and in the aftermath of war, either reduced the status of certain entities or completely abolished the autonomous existence of those entities⁷⁰. Thus, the asymmetry and hierarchy that pervaded the whole of the union territories had become more complex day by day. These policies were also scrupulously continued during the reign of Khrushchev⁷¹, who became prominent after the last breath of Joseph Stalin and who was famous for criticizing his authoritarian policies.

The most recent text was the Brezhnev constitution in 1977. According to the 70th article of this constitution, the Soviet state was ‘an integral, federal, multinational state formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics’. As this last constitution stated, and as can be seen from the provisions of all the aforementioned constitutions⁷², the Soviet Union seemed to have existed on a federalism based upon the principle of right of nations to self-

⁶⁹ To give an example, the ongoing problematics such like Abkhazia and South Ossetia in Georgia, Nagorno-Karabakh in Azerbaijan, Transnistria and Gagauzia in Moldova, Crimea and Transcarpathia in Ukraine. Even, the problems of Chechnya and Tatarstan in Russia, which had been inherited from the period of Tsarism to the Soviets, then escalated in the 1990s and are now being relieved.

⁷⁰ For instance, the abrogation of the Crimea’s status of autonomous republic (ASSR) in the 1940s.

⁷¹ E.g the transfer of Crimea from Russia to Ukraine in 1954; and degradation of the status of Karelia to the autonomous republic (ASSR) from the union republic and its inclusion in RSFSR in 1956.

⁷² Article 2 of the 1918 Constitution: “The Russian Soviet Republic, is essentially established on the principle of a free union of free nations, as a federation of Soviet National Republics”.

Part 1 of the 1924 Constitution: “...this Union is a free federation of peoples equal in rights, that the right to freely withdraw from the Union is assured to each Republic...”

Article 13 of the 1936 Constitution: “The Union of Soviet Socialist Republics is a federal state, formed on the basis of the voluntary association of Soviet Socialist Republics possessing equal rights ...”

determination; however, when we have a look at some other articles of the same constitutions, it has been clearly understood how the Soviet federalism had evolved over the years. This point could be understood even by looking at the last constitution in which the authoritarianism was relatively reduced. As Burgess (2008) has said, *first*, the stance of Communist Party of the Soviet Union (article 6 of 1977 Constitution), which was positioned at the epicenter of Soviet politics as the mainstay of all institutions belonged to state and society and organized in each part of the union to maintain this position; *second*, the ideal of democratic centralization of the Soviet state (article 3 of 1977 Constitution), and *third*, the configuration of the Supreme Soviet vested with extraordinary powers (article 108 of 1977 Constitution), what identified as the highest institution of the state through its authorization to adjudicate on all matters within the jurisdiction of the union as though it had unified the legislative-executive-judicial powers in its own personality, demonstrated us that the Soviets were actually a highly ‘*centralized*’ state (p. 28). The foundations of this centralism were riveted widely by the practices in the Stalin era. So much so that, Stalin abandoned its policies of indigenization, which he had been pursuing since the early years of the USSR. In support of this, Sakwa (2008), as well, argued that the Soviet state had a federal-unitary form; the state structure, which seemed formalistically federal, contained a unitary characteristic in essence. He was focused specifically on the role of the Communist Party of the Soviet Union (CPSU) while talking about this issue: For him, the CPSU, the headquarter of the Soviet state, was a central body conducted by the Central Committee and the Politburo in Moscow, and the other fourteen party organizations in the union republics could not go beyond being units that were managed from the central office pursuant to the principles of democratic centralism (p. 236). In this regard, the Soviet Union was appear rather like a ‘multi-national unitary state’. Thus, a new one was added to the above-referred features of the federative structure of the Soviet Union. But the problem was that such a centralization, which could be seen only in the empires, contradicted directly with the rudiments of *shared-rule* and *self-rule* of federalism, according to many scholars. When considered from this point of view, the federalism in the Soviets,

indeed, existed only in appearance. As things stand, the primary objective was to build a multi-national, centralized and socialist state, as can be understood from the above provisions of the last constitution and the clues given by the justification of Lenin; and federalism was a mechanism for the preservation of multinationalism on the path to this goal. In that case, the so-called federal system was so indeed a ‘phony federalism’ (p. 35), as DeBardeleben (1997) had called. Likewise, Lynn and Novikov (1997) named it as ‘pseudo-federalism’ (p. 187), which actually have the same meaning. Similarly, Francis (2011) says that the Soviets had a *de jure* federalism but practice *de facto* centralization (p. 64). According to her “the powers of the federated states were curtailed by the centralization efforts of the Communist Party” (Francis, 2011, p. 65), and this was exactly the reason why the Soviet federalism could only be considered as a “quasi-federalism” (as cited in Francis, 2011, p. 65), although it had a federal composition. Yes, as a necessity of being a federation, some powers were left by the constitution in jurisdiction of the federated units through generating an administrative framework and some federal institutions were formed, even if they were symbolic; however, the extent to which these prerogatives and institutions could or could not be used were determined by the CPSU, which was effective through party organs in the federated units and held sway over the union by working as a unitary body. Alike, as required by the claim to be a federation, the constitution guaranteed the union republics that they were sovereign (article 76), therefore, they had the right to secede from the union at their pleasure (article 72), in this regard they might have diplomatic relations with foreign states and international organizations (article 80), and that no changes could be made on their lands without their consent (article 78); however, the above-mentioned centralization-oriented provisions of the same constitution and the autocratic party structure ensued by these, precluded the possibility that the union republics would benefit from these rights in practice by indicating that they were not in fact so sovereign (Ross, 2003, p. 17). This ‘tense dualism’⁷³ is what also

⁷³ It is a concept of Lynn & Novikov (1997, p. 190), which is quite similar to the notion of ‘dangerous dualism’ that Bialer (1980) has introduced into the literature related to the Soviet federal system: “On the one hand it granted to formed nations cultural autonomy, territorial integrity, and symbols of statehood; on the other hand it insisted on the supremacy of the central state and government and

Burgess (2008) pointed out as last sentence, thereof he interpreted this ‘federal’ mechanism as an apodictic deception:

...the former Soviet federal state structure cemented by a unitary centralized single party system, which effectively controlled all the institutions of policy-making and policy-implementation together with all the lines of political communication. It was, in short, a federal facade (p. 25).

1.3.1.2 Gorbachev’s Struggle for Unity (1985-1991)

However, it was no longer feasible to sustain this multinationalism through the same bureaucratic and authoritarian methods in the process going towards the 1990s. In fact, this situation had become visible since the time of Brezhnev, who was the General Secretary of the CPSU in between the years of 1964 and 1982. Insomuch that, social stability began to be seen as more significant than economic or political reforms in his era of gubernation. This was clearly a sign that troubles started to come in terms of social stability. Therefore, Brezhnev reached a federal compromise in order to prevent any crisis to erupt and connived at republican and regional leaders to gain more power and authority in their own domains. This meant that the *nomenklatura*⁷⁴ were become more dominant in their titular entities than ever before in Soviet history. Besides, the Soviets had to face serious economic difficulties as well as such social problems. By the 1970s, perspectives on industrial production in liberal countries had begun to change. As for the Soviet Union, it did not have the cadres that might follow this suit. Meanwhile, the war in Afghanistan was wearing down the Soviet economy, which was already in a bind. It was exactly such a time when Gorbachev took the office. After assuming his post, Gorbachev, who was very much aware of the current dilemma, has initiated the processes of *glasnost* and *perestroika*, which would reform the communism that has been applied in the country for more than half a century. In doing so, his aim was basically to keep the Soviets on its feet, by means of making the system more

strove for a state of affairs where national separateness and ethnic identity would ultimately wither away” (Bialer, 1980, pp. 210-11).

⁷⁴ Republican and regional leaders, a group of individuals who held the vital posts of Soviet bureaucracy in forenamed entities.

transparent and the economy more open, plus restructuring and democratizing the party politics; but things didn't go as Gorbachev imagined. According to Filippov and his friends (2004, p. 92), Gorbachev's reforms of liberalization and democratization have radically altered the federal regulations that have been prevalent for seventy years. As regards to earlier federal habits, each unit, which was a member of the union, had rooms for informal bargaining within the centralized Communist Party order. However, Gorbachev's reforms aiming at transparency and democratization had eradicated those non-formal bargaining channels through restricting the area of activity of the CPSU and disqualifying it from being the key decision-making body in political and economic spheres. These channels were soon replaced by constitutional and official institutions; however, these institutions were in no case seen as legitimate in the eyes of the federated units that adhered its old ways strictly. Hence, they have begun to feel a serious concern about how and to what extent they would be represented. This unrest, at the end of the day, damaged the federal order, which had previously held rather a heterogeneous 'empire' together and centralized through the party. It meant that the seventy years of federal and institutional status quo among the Soviet Union was disrupted. As is also understood from the very consistent statement of Filippov *et al.*, the central party system and the centralized structure addressed in the above section were not such a thing that was inserted in the system unglamorously; on the contrary, it had a feature that made the federal system operational through the informal channels it originated. This is because the extremely centralized party structure, even though officially harmed some of the requisiteness's of federalism, ipso facto paved the way for the region's representation and autonomy via the party. Referring to Filippov and Shvetsova (1999, pp. 66-68), this was the non-written constitution of the Soviet Union, and it was superior to the written one until the end of the 1980s. Yes, the political, economic and even cultural life throughout the USSR was entirely under the absolute control of the CPSU, and party institutions, such as the Politburo and the Central Committee, were responsible for even the least significant decision taken all across the Soviet Union, including federal matters; however, this did not mean that the federated units could not participate in the

decision-making processes or influence the central policy makers. Au contraire, the titular authorities could benefited from varying degrees of regional autonomy, depending on the diversity of their local resources and their capacity to utilize them, in turn could also had an impact upon the central policy-making in the same proportion. The momentous thing here was that they succeeded in this by ensuring that their representatives were present in the federal institutions. However, the federal institutions that the Soviets had used to possess, were not state-owned institutions, what make the Soviet Union different from all other federations; these institutions were the foundations of the party⁷⁵. Thereby, when these structures and institutions belonging to the party had disappeared, as a result of enfeebling of the CPSU through reforms, the federated units started to be unable to be represented in the center and thus the federal system lost its adequacy to function. In a similar vein, Sakwa (2008) enunciated that the federal system in question only operated as long as there was a force outside the ethno-federal framework, and that this power was the All-Union Communist Party, the Bolsheviks, what renamed as the CPSU in the Nineteenth Party Congress in 1952 (p. 1). Therefore, once this power removed, the system simultaneously began its journey towards failure. Alike, Ross (2003) also puts the weakening of the CPSU at the heart and soul of the matter. According to him, economic decentralization that was tolerated by Gorbachev at the expense of keeping the union together had given rise to demands for political decentralization in time, and in the absence of iron fist of CPSU that splintered into political and ethnic factions following its weakening by reforms, there was no body left to hold entities of the union together in defiance of these extremist requests (p.

⁷⁵ The most important one among all of these institutions was undoubtedly the Central Committee. By rule, each union republic and almost all of the autonomous republics and oblasts within the union, were represented in the Central Committee through their first party secretaries, regardless of whether they enjoyed different degrees of federal status according to the constitution. Hereby, the great majority of components of the federation at different levels could be included in the Central Committee. Thus, the Central Committee, one way or another, secured that the federated units could be represented in the center; as well as giving them a chance to conduct lobbying activities in Moscow for their regional interests. At the same time, thanks to the highly centralized structure of the party, Moscow was also able to resolve issues directly by contacting with the *nomenclature* of the republics or regions at the committee, at any time it desired to do. By this way, the dialogue between the center and its peripheries was realized in a very short span of time (Filippov, Ordeshook, & Shvetsova, 2004, p. 93). See also (Filippov & Shvetsova, 1999, p. 67).

19). Yet, as to another broadly accepted opinion that expressed by Graham Smith (1995), a multinational society had been incorporated into restructuring process with the *perestroika*, right after the removal of state censorship on public via the policies of *glasnost*; so, the ‘federal question’ came to the fore inevitably (as cited in Burgess, 2008, p. 31). This being the case, ethnic entities began to discuss the federal question in line with their own demands, which deepened the already formed ravages in the Soviet federal system. As a consequence of all, as Burgess (2008) pointed out, the reforms, which had begun under the leadership of Mikhail Gorbachev in the mid-1980s, have rendered the institutions of a large country dysfunctional, by means of debilitating the central system and dissolving the traditional political channels of the federal union, despite the fact that the total opposite has been targeted (p. 30). Therewithal, the reform package of Gorbachev opened up a field of political maneuver and freedom to the member states, which would lead to questioning of the federative structure within the union. This gave ethnic republics the opportunity to set the political agenda and exploit the federation issue as a leverage. In this sense, the story of the disintegration of the Soviets was literally an instance of ‘unintended consequences’.

As it is seen from all the foregoing, Gorbachev’s reforms have unintentionally led to further uneasiness among the units of the Soviet Union, by the way of subverting the federal status quo. Thus, the process of disintegration of the union was accelerated. The root cause of this was the depredation of the Communist Party’s authority through reforms, as said. Immediately after the Communist Party frayed around the edges as the fundamental authority that held the union together, the ethnic-territorial republics themselves started to control and manipulate the period of disengagement being talked about. This, in the words of Stepan (2000), gave birth to a problematic of ‘stateness’ in the strictest sense (p. 141). Thus and so, Moscow has begun to lose both its capacity to fulfil basic functions as a state and its dominance over the mechanisms that could surveil the togetherness of the union. First, the majority of the ‘incompatible’ regions, which were often constituted during the Stalin era as you may recall, commenced questioning their status inside their ‘host’ republics. This amounted to the outbreak

of bloody conflicts in these regions, what boded unfortunately the death of hundreds of people in the end⁷⁶. Thusly, the question of regional autonomy was born as an important challenge for the Soviet state. In the meantime, some of the union republics⁷⁷, which were voicing their anxiety for a while as well, clearly began to manifest their eagerness to leave the union through exercising their constitutional right. The RSFSR, without a shadow of doubt, was one of the leading among the republics that articulated this ambition from the highest point, largely under the influence of rising Russian nationalism. This signified a power struggle between Gorbachev and the RSFSR leader Yeltsin⁷⁸, which the former was striving to keep the union together while the latter was doing otherwise. In the first round of the duel, Gorbachev acted with the desire to counterbalance the ‘union republics’ in concern with their claims of greater sovereignty and demands for secession, which have escalated to the extent that the existence of the USSR could be jeopardized; and to that end, on 26 April 1990, he granted to the ‘autonomous republics’ of the union the right to accede to any forthcoming ‘Union Treaty’ under the same conditions with the ‘union republics’, so triggered them to be affiliated as a full-fledged member of the federation, through persuading the parliament to pass the law ‘On the Delineation of Powers Between the USSR and the Federation’s Constituent Parts’. For some time past, the Soviet leader was looking for a new ‘union treaty’, what would reorganize the relationship between the Soviet State and the ‘union republics’ and thus prevent the collapse of the Soviet federation. By recognizing this right, the leaders of the ‘autonomous republics’ were invited to the negotiations of this treaty herein. This denoted that the status of the ‘autonomous

⁷⁶ E.g. Ethnic clashes in Yakut ASSR in 1986; Armenian-populated Nagorno-Karabakh Autonomous Oblast’s intents to declare itself independent from its host union republic of Azerbaijan in 1988 and the clashes afterwards between Armenian SSR and Azerbaijan SSR; demonstrations in Abkhazia ASSR to be independent from its host Georgian SSR and subsequent bloody developments in 1990 etc.

⁷⁷ Especially Estonian, Lithuanian and Latvian SSR’s in the Baltic.

⁷⁸ Gorbachev’s reforms paved the way for elections in the union republics. Therewith, the parliamentary elections held throughout the USSR in 1990; but the Communist Party candidates suffered heavy defeats in the majority of the union republics during these elections, unexpectedly. RSFSR, as well, was one of the republics where the communists were frustrated. Within this direction, Boris Yeltsin, who was an anti-communist, won the chair of the Russian (RSFSR) parliament in April 1990.

republics' would be upgraded and equalized with the 'union republics' in the new deal close at hand. Other than that, Gorbachev had shown that he was very willing to actualize this idea during the talks. In the circumstances, if any of the 'union republics' did not enter into the treaty and preferred to abandon the Soviet Union, then the 'autonomous republics' within the union republic in question would be able to make the same request from its host 'union republic'. This being the case, the *second-tier* 'autonomous republics' were intended to be instrumentalized by Gorbachev as a threat risk against the *first-tier* 'union republics' who attempted to leave. This was an absolutely inadmissible *zwischenzug*⁷⁹ for Yeltsin owing to the fact that it was endangering Russia's territorial integrity, in so far as eighty percent of the 'autonomous republics' of the USSR were within the borders of the RSFSR. Hereunder this move, if RSFSR could declare its sovereignty, the 'autonomous republics' within Russia could follow the same path. In other words, if RSFSR endeavored to be independent of the USSR, Russia's 'autonomous republics' could also be independent of Russia. Then again, some 'autonomous republics' within the RSFSR were even larger than some 'union republics' of the USSR. If so, the danger for Russia was great; but the arrow had already left the bow. The threat of Gorbachev was provoked the 'union republics' to assert even greater claims for sovereignty at all costs. Therefore, in June 1990, RSFSR officially announced its sovereignty; however, in order to outbid Gorbachev in the auction that he had launched, it resorted to promise that it would bestow a very broad sovereignty as well to its 'autonomous republics'. Within this direction, Yeltsin, starting with his visit to Tatarstan in August 1990, began calling out to the 'autonomous republics' within the RSFSR by saying his catchphrase of "take as much sovereignty as you can swallow". In doing so, Yeltsin was explicitly trying to encourage the 'autonomous republics' of his own country to pluck much more sovereignty from the Soviets. This was pretty risky as it meant that the autonomous republics would

⁷⁹ This is a chess tactic. In short, it is called as an 'intermediate move'. According to this tactic, player X, who encounters any threat from player Y, instead of making the expected move, prefers to make another move, which poses an urgent threat that the player Y must immediately answer, in order to brush off the threat it perceived from player Y. Thus, player X inserts another move into the game and only then plays the expected move.

also have extensive sovereignties within and against Russia. Nevertheless, what prompted the Russian leader to do this was his aspiration to receive the support of the autonomous republics inside Russia and the regional political elites who ruled them while trying to prepare the appropriate ground for Russia's secession from the union. As a union republic, so as to fascinate them, Russia had no other choice but to offer more incentives to these *nomenklatura* at least farther than they received from the federal center; and that's exactly what Yeltsin was doing. By this way, Yeltsin could guarantee that these autonomous republics would move in concert with RSFSR and thus remain within Russia in the course of the event. Thus, the attractiveness of the inducements given to the autonomous republics has been increased day by day and Russian laws have been enacted, which furnished these entities with prerogatives such as greater control over their natural resources, lower taxes and less regulations. Ultimately, autonomous republics such as Chechnya and Tatarstan, which hearkened to Yeltsin's call, started to promulgate their sovereignties one by one in June 1990 and the following period, just like Russia. Yet more, as of the beginning of 1991, almost all the autonomous republics declared their independence from its host union republics by proclaiming itself as a separate union republic within the USSR. Meanwhile, Russia was not contented with inciting its autonomous republics; but also advocated to the other union republics that made similar requests. This triggered seven⁸⁰ more union republics to proclaim their sovereignty in the period between June and October 1990; even, led Armenian SSR to take it a step further by declaring its independence from the USSR. Thus, the 'parade of sovereignties' (Kahn, 2000), which began with the proclamation of sovereignty and even independence of the *first-tier* 'union republics' as the Baltic states, had now peaked by leaping both into other 'union republics' and *second-tier* 'autonomous republics' as soon as the RSFSR assumed the catalyst role. By doing this, it was obvious that Yeltsin was giving *Schach*⁸¹; but there was, of course, one more response from Gorbachev: In the end of this duel, when the military measures he had taken in the Baltics in January 1991 yielded no result, Gorbachev opted to

⁸⁰ Uzbekistan, Moldova, Ukraine, Belorussia, Turkmenistan, Tajikistan and Kazakhstan SSR's.

⁸¹ To check in chess.

make his final move to save the Soviets and wanted to conclude his search of a ‘union treaty’, which would hold union’s members together on a more *asymmetric* federal plan; however, the referendum held in March 1991, to this end, backfired and six⁸² of the fifteen union republics within the Soviets even refused to participate in the ballot. Whereas, since Gorbachev knew that these six republics were not pro-referendum but were secessionist, he was speaking of a treaty, which would bring a new federal arrangement that would develop more loosely and confederal relations with these republics compared to the nine other. However, as seen, even that didn’t help. Henceforth, Gorbachev was forced to play *zugzwang*⁸³ on the chessboard and as a last resort, he agreed with the leaders of the remaining nine republics, one of them was Yeltsin, to sign a new ‘union treaty’ on 20 August 1991. The ‘9 + 1 agreement’⁸⁴ in question would probably allow six republics that did not participate in the referendum to leave the union, vastly recognize the sovereignty of the remaining union republics and weaken the federal center as much as possible. But, the hardliners, who were got annoyed of these possible provisions, carried out the famous failed coup in August 1991, without waiting for the agreement to take place. This meant the loss of the legitimacy of attempts to hold the Soviets together and the beginning of the process that would finished with the official end of the Soviets in December, which was a *checkmate*⁸⁵ for Gorbachev.

In that case, how was the final form of the federative structure in the Soviet Union while the curtain was ringing down on the USSR? As detailed before, during the era of the Soviet Union, the administrative boundaries between the countries were changed as frequent and arbitrary as that one could not follow by counting. In this regard, sometimes a region with a certain autonomy has been detached from a country and transferred to another one; and sometimes, the autonomous regions,

⁸² Estonian, Lithuanian, Latvian, Georgian, Armenian, Moldavian SSR’s.

⁸³ Compulsion to move in chess. It comes to mean that the player is in a tight spot and his/her options for moves are very limited. Henceforward, any move will make the situation worse for the player; but the player have to move even if he/she wants to pass. It portends that the end of the game is so close for that player.

⁸⁴ It refers to the agreement in between the nine SSR remained and the Moscow, the federal center of the USSR.

⁸⁵ Being beaten in chess.

which associated with each other in respect to demography and economy or history, have been merged or disaggregated with the same or different status. Apart from these, new autonomous regions have been formed or existing autonomous regions have been abolished, over and over again. It is for this reason that, after a certain point, it becomes meaningless to try to follow the administrative arrangements carried out throughout the geography of the Soviet Union on a daily basis; but yet, the last administrative division, which remained immediately before the disintegration process of the Soviets, is of great importance as it has directly affected the future of the emerging states after USSR. In this respect, according to the information received from Lynn and Novikov (1997), just before the dissolution, the ‘multinational’ Soviet Union had 53 different ‘*ethnic/national-federal*’ units: 15 of them were the *first-tier* status ‘union republics’ (SSR’s) as listed above, which were the constituent elements of the USSR; the remaining 38 were consisted of the ‘autonomous republics’ (ASSR’s) of *second-tier* status and ‘autonomous *oblasts*’ (autonomous region, AO’s) or ‘autonomous *okrugs*’ (autonomous district/area, AOk’s) of *lower* status. Of these 38 units, 20 were ‘autonomous republic’, 8 were ‘autonomous *oblasts*’ and 10 were ‘autonomous *okrugs*’ (p. 190). These four types of “ethnicity-based” (Francis, 2011, p. 64) units were simply created in areas where a significant ethnic group lived in a concentrated form; hence their autonomy was derived from ethnic differences⁸⁶. There was another aspect that was meaningful to mention exactly at this point, which was that: In keeping with both the Bolsheviks’ outlook on the concept of federation and Stalin’s policy of instrumentalization of boundaries, these ‘national-federal’ units established across the Soviet Union, were intended neither for the organization of nations or nationalities endowed with aforesaid autonomies on the sound basis of a nation-state, nor for the promotion of multinationalism throughout the union and ethno-federal regions. Indeed, the presence of these units was intended to continue the existence of the state in the long term and thus to make sure that the socialist internationalism was at its farthest limits as far as possible. Therefore, the rights of

⁸⁶ See chapter 2.3 for details.

both union and autonomous republics were subordinated to the national interests of the USSR. Again, it is for this reason that the communities that brought the Soviets together were never positioned as sovereign nations with equal rights. Instead, a distinct *hierarchy* and *asymmetry* were established among the communities in question; each of them was empowered to the extent that they did not pose a threat or a problem for the existence of the union. This meant the formation of differences specific to the rights that the communities had (what named as *asymmetry*), and hence the differentiation of their status (namely *hierarchy*). That is why some ethnic communities were authorized to have possession of a union state, an autonomous state or an autonomous region, in which they dominate politically; on the other hand, others were not considered sufficient to have this right and could not obtain any autonomy and sovereignty. Such that, according to the information given by Sakwa (2008), the 1989 census listed 128 nationality throughout the Soviet Union, of which only 68 of them officially have constituted 53 ‘ethno-federal’ units; while the others, had no such a zone, which defined by their own name and entrusted with any autonomy (p. 238), due to the fact that they were just considered as a *plemya* (tribe) or an *etnicheskaya gruppa* (ethnic group) (Francis, 2011, p. 64). Moreover, even the status and rights granted to the communities, in which ‘ethno-federal’ units were installed on their behalf’s, were differentiated from each other. The non-Russian communities with ethnic units, depending on their “social, cultural, linguistic and economic development” (Francis, 2011, p. 64) subjected to different degrees of autonomy. It is due to this reason, several federal units have emerged in different statuses such as the ‘union republic’, ‘autonomous republic’, ‘autonomous *oblast*’ and ‘autonomous *okrug*’. In this context, some communities were admitted as ‘*natsiya*’ (nation) and were deemed worthy of *higher* status ‘union republics’ and ‘autonomous republics’ of their own name, which had the right to have their own constitution and a statehood; however, some of them were not seen at this level, and by means of being named merely as a ‘*narodnosti*’ (nationality) they were obliged to make shift with *lower* status ‘autonomous *oblasts* or *okrugs*’ (Francis, 2011, p. 64). On the other hand, it was not satisfied with this, and in addition to the above mentioned ‘ethno-federal’ units, ‘*territorial-federal*’ units were established all

across the USSR. Roughly, these were only autonomies for administrative purposes in areas where the constituent nationality of the country -i.e. Russians in RSFSR- inhabited predominately or where a specific ethnic group other than the constituent nationality did not live intensively. In such cases, any autonomy stemming from ethnic differences was not a matter of discussion due to the absence of any other ethnic group that lived densely in the region and therefore identified with the region. According to Ross (2003, p. 17), the number of these “territorially defined” (Francis, 2011, p. 64) units was about 159, and based upon the information provided by Filippov and Shvetsova (1999, p. 67), it consisted of 151 ‘*oblasts*’ (region) and 8 ‘*krais*’ (territory). In addition to this number, DeBardeleben (1997) was also referring to the autonomous administrations of two cities under the name of ‘*federal city*’, which were Moscow and St. Petersburg (pp. 36-37). So, the number was 161⁸⁷. Although the status of these units appears to be almost equivalent to the autonomous oblasts, it would never been possible to say that they have a real federal representation in practice, since they did not have any ethnic differences. In this sense, it would not be so wrong to say that there was an inequality in between the ethnic autonomies and them. In spite of everything, it was possible to notify that the curtain was now drawing, and on the final stage the Soviet Union was a gigantic ‘ethno-territorial’ (simultaneous existence of both ‘ethnic’ and ‘territorial’ federal units) federal organization composed of a total of about two hundred units.

To sum up, the system adopted by the Soviet Union was unequivocally one of the most diverged among the federal systems that had been seen so far. The system took its source from its immanent ethnically originated ‘union’ and ‘autonomous republics’, and thence vested with an ethnic-based federative structure. Therewithal, differences in between the status and rights of these ethnic units led to a multi-tiered hierarchical structure like a *matreshka* doll (Francis, 2011, p. 64), and an asymmetrical federal order. When the over-centralized party system and the high degree of multinationalism was also added on top of these, it was

⁸⁷ Within the scope of the literature reviewed for this thesis herein, this number, most probably due to the frequent and complex changes in the Soviet administrative system, have never been given in total. The number professed over here was obtained from the sum of the numbers given in different studies in relation to the amount of different federal units.

utterly distinguished the federative structure of the USSR from almost all of the other federal instances. Consequently, a system that could not be compared with ‘federal-territorial’ (not composed of ethnic federal units, but of territorial ones only) and ‘symmetric’ models, such as the United States, has thus showed up.

1.3.1.3 Federative Structure of the Russian Soviet Federative Socialist Republic (RSFSR)

Meanwhile, if the overall situation in the RSFSR needed to be examined, according to the 1989 census, the population of Russia corresponded to 147 million, 51 percent of the USSR’s population of 286 million. Ethnic Russians represented 81.5 percent of RSFSR’s population, which was around 119 million. Thus, 18.5 percent (nearly 27 million) of the Russia’s population consisted of ethnically non-Russians. In addition, approximately 25 million ethnic Russians lived in the other ‘union republics’ of USSR, on the outside of the borders of RSFSR. This referred that the ethnic Russians all across the Soviet Union constituted almost half of the total population of the USSR. However, at this point, as opposed to popular belief, there is a crucial matter that Sakwa (2008, pp. 15-16) had brought to the fore that the Russian majority in the USSR was never come to mean that the Soviet State acted in favor of Russia’s interests. On the contrary, the Soviets never granted RSFSR the rights that it accorded many other union republics. To give an example, the other fourteen union republics had the status of being the state through the various institutions it had. All of them had their own governments, parliaments and Communist Party organizations. These institutions and organizations could be organized on the basis of each union republic’s own national identity. However, Russia did not have any of them. Free from any doubt, one of the most interesting here was that RSFSR was destitute of even its own party organizations until 1990. It was so weird; because almost sixty percent of somewhat twenty million members of the CPSU consisted of members from RSFSR. That is to say, the Communist Party did not fashioned a separate party organization in the union republic, where most of its members came from. The reason for this was that Lenin wanted to avert the threat of Russian chauvinism. To that end, the Russian party organization, which

have already existed in severalty, was terminated in the wake of initialization of the 'Union Treaty' and the establishment of the Soviet Union in 1922. Beyond these, Russia was also devoid of its own KGB and the Ministry of the Interior. Moreover, its Council of Ministers, which was composed of other ministries it had, was already rigidly linked to the Soviet government and lacked several ministries and departments that was present in other republics. Furthermore, RSFSR could not enjoy its own national capital even though it accounted for almost 60 per cent of the Soviet GNP. The best part of wealth produced by Russia was transferred to the center or other union republics; barely almost half of them were left in Russia. While the other union republics were able to keep almost all of their wealth in their own country. Apart from these, Russia was deprived of its own Academy of Sciences, national television and radio stations unlike other union republics. In a word, RSFSR was not provided with any of the institutions or institutional qualities, which the other union republics possessed, in political, economic and cultural terms. This caused Russia to have relatively weaker political and economic institutions. In addition to this, during the existence of the Soviet Union, Russia also faced various hitches relevant to national borders. The Soviet governments have gradually distributed a significant portion of the vast lands, which were inherited from Tsarist Russia to RSFSR, to the other 'union republics' that taken out from within the boundaries of the RSFSR by them. For example, all of the SSR's in Central Asia were born out from the borders of the RSFSR. At the same time, some pieces of land within the RSFSR were transferred to other union republics such as Ukrainian SSR. This narrowed the borders of Russia day by day⁸⁸. All this has led to the fact that the history and traditions of Russia and its peoples can be distorted for many years and that Russian interests can be subordinated by the Soviet system. Only towards the end of *perestroika*, due to the rise of Russian national consciousness, attempts were made to respond to RSFSR's demands. For instance, in December 1989, a Russian Bureau was created within the CPSU. But all of this

⁸⁸ "The geographical area of the RSFSR under Soviet power had decreased both in absolute and in comparative terms: if in 1922 the RSFSR comprised 94.7 per cent of the territory of the USSR, by 1991 this had fallen to 76.2 per cent" (Sakwa, 2008, p. 238).

was seen to be inadequate and did not satisfy many; since the structural asymmetries between RSFSR and the other union republics continued to be preserved by the Soviet government. In time, it began to push RSFSR to declare its own sovereignty. Therefore, it was too late for such improvements. Soviet Russia, as mentioned above, had become one of the countries which propagandized that the Soviet Union should be dissolved.

Despite all this, until the December 25, 1991, the day of the collapse of the Soviet Union, the RSFSR remained officially a part of the USSR, even though it did not actually seem to be so. In the last instance, the RSFSR was one of the 15 *first-tier* ‘union republics’ forming the Soviet Union, and it contained a separate federation within itself. In this context, there were 31 ‘*ethno-federal*’ units in the RSFSR that became *second*, *third* and even *fourth tier*: 16 of them were ‘autonomous republic’ (ASSR’s), 5 were ‘autonomous *oblast*’ (AO’s) and 10 were ‘autonomous *okrug*’ (AOK’s). This meant that 31 of the *lower-status*⁸⁹ 38 ‘ethno-federal’ unit of the USSR, to wit some more than eighty percent, were in the RSFSR⁹⁰. These aforesaid ‘ethno-federal’ units had some rights as a requirement of their autonomy. For example, just like the ‘union republics’, the ‘autonomous republics’ had their own constitutions and had independent jurisdiction on some issues; but unlike them, they were not defined as sovereign by the Soviet constitution and had no right to leave the union. Thus, they were considered as integral and constituent parts of the sovereign ‘union republics’. On the other hand, 5 ‘autonomous *oblasts*’ and 10 ‘autonomous *okrugs*’ at the lower levels did not have their own constitutions, deprived of statehood and had more limited rights in relation to self-rule and self-governance. These rights, which separated these units from each other, were determined by the Constitution of the Soviet Union and were applied in the same way for all equivalent units in the union. Hence, the *asymmetry* and the *hierarchy* between the units stemmed from the Soviet Union itself; and the RSFSR just replicated “the hierarchical *matryeshka* doll-like construction of Soviet

⁸⁹ Units outside of *first-tier* 15 ‘union republic’ of the USSR.

⁹⁰ Other seven were in Azerbaijan, Georgia, Uzbekistan and Tajikistan SSR’s according to 1977 Constitution.

federalism” (Sakwa, 2008, p. 238). As for the demographic situation in these units, as Sakwa (2008) stated, was as follows:

At the time of the 1989 census the titular nationality comprised an absolute majority of the population in 8 of the 31 ethno-federal units of that time, a comparative majority in 3, and in the other 20 ethnic Russians were in the majority. In the 16 autonomous republics the titular nationalities comprised only 42 per cent of the total population; in the autonomous *oblasts* 22 per cent; and in the autonomous *okrugs* only 10.5 per cent, largely as a result of the heavy in-migration of Russians and other peoples (p. 241).

In addition to these, there were also ‘*territorial-federal*’ units within the RSFSR, which was again only related to administrative purposes and could be positioned under ‘autonomous republics’ just like autonomous *oblasts* and *okrugs*, in accordance with the Soviet-wide structure. According to the information provided by Sakwa (2008, p. 537), as of 1990, the number of these units was 57. Of these, in terms of status, 6 were ‘*krais*’, 49 were ‘*oblasts*’, and 2 were ‘*federal city*’⁹¹. All of this meant that the RSFSR was a huge structure consisting of 88 ‘ethno-territorial’ units in total, which were located as a separate federation in the USSR.

However, while the extra time were being played in the Soviets, some fluctuations began to be observed in the federative composition of the RSFSR. The game of ‘autonomy out-bidding’ (Stepan, 2000, p. 141) between Yeltsin and Gorbachev was actually quite dangerous. The game in question gave autonomous sub-units some elbow room that could led them to expand their fields of autonomy. In accordance with the promises given to them, the ‘autonomous republics’ and other ‘ethno-federal’ units began to demand higher regional autonomies and status, without even waiting for the official disintegration of the union. Moreover, Russia’s insistence on the renegotiation of the conditions of the ‘Soviet Federal Treaty’ further legitimized these demands of the autonomous units within the RSFSR. If the RSFSR, as a union republic, could make a request for a reorganization of its federal status from its superior Soviet federal center, then the autonomous republics

⁹¹ As said above, these were Moscow and St.Petersburg; and the two ‘federal cities’ in question were almost identical to the ‘*oblasts*’ in regard to their status.

could also have asked for the same from its superiors, RSFSR. Thus, when Russia and some of its autonomous republics declared their sovereignty as a result of the power struggle between Yeltsin and Gorbachev, the process was started, in which some ethnic entities within the RSFSR, a federation in the Soviet Union, became the founding republics of independent Russia. In response to the above-cited requests, firstly, with the amendment to the RSFSR constitution on 15 December 1990, the adjective of ‘autonomy’ in the title of 16 ‘ASSR’ of the RSFSR was deleted, and these units were directly turned into the ‘*republics*’ that constituted Russia. Then, in July 1991, four⁹² out of five ‘autonomous *oblasts*’ in the RSFSR (with the exception of the Jewish autonomous *oblast*) were removed from the jurisdiction of the ‘territorial-federal’ units to which they were subordinated⁹³, and upgraded to the status of ‘republic’ by the decision of Russian Supreme Soviet. Thereupon, 20 constituent ethnic ‘republics’ emerged in Russia⁹⁴ and a new federative structure was began to be settled within Russia along with these ethnic republics⁹⁵. As Ross said (2003), this meant that the ‘hybrid ethno-territorial’ federative structure of the Soviet Union would bequeathed to Russia, after the collapse of the Soviet Union (p. 22). Ross was right, from now onward Russia would proceed on its path with a federative structure very similar to its predecessor, the Soviet Union; but by a difference: Now, as a country, which the Soviet policies have once again narrowed its borders and which dominated a smaller area compared to 1922.

⁹² Adygea, Gorno-Altai, Karachay-Cherkessia and Khakassia AO’s.

⁹³ ‘Autonomous *oblasts*’ were formally subordinated to the ‘*krais*’; along the same line, the ‘autonomous *okrugs*’ were subordinated to the ‘*oblasts*’ or ‘*krais*’ as well.

⁹⁴ This domino effect continued after the dissolution of the USSR, when the Chechen-Ingush Republic was divided into two as Chechen and Ingush republics in 1992, and the number of ethnic republics within Russia rose to twenty-one.

⁹⁵ See section 2 for details.

SECTION TWO

RUSSIAN FEDERATION: IDEA OF 'FEDERATION' IN RUSSIAN POLITICS

2.1. YELTSIN ERA (1991-1999)

As said by Burgess (2008), "...the way the USSR collapsed in 1991 – the sudden and dramatic manner of its disintegration – had a direct impact on the formation and subsequent evolution of the Russian Federation" (p. 30). Here is the Yeltsin period coincided with the establishment and development of the new regime and the years when the Russian Federation tried to use the troubled legacy that she took over from the Soviets in order to ensure the formation of a healthy federal state. In simpler terms, the years of Yeltsin symbolize the period of transformation. However, removing the wreckage of a gigantic socialist state, with a *sui generis* federative structure and many interest groups within this complex federal structure, has not been easy. While this is not easy, it is very difficult to create a new regime on the same debris.

As Sakwa (2008) puts it, "Russia's federal character in the Soviet period was derived not from the regions where the majority of the population lived, which effectively lacked federal representation, but from the national republics" (pp. 245-246), what made Russia a federal-unitary replica of Soviet Union in terms of making it a unique federation that perform unitary-like practices on territorial units, while practicing a genuine federalism in ethno-national parts. This unique structure basically led to the formation of two parties in the debate about how the new federal structure ought to be, which started in the days when the collapse of the Soviets was noticed. In this context, the national republics that put up resistance to change were the first of these parties; and to put it all in simple terms their purpose was to perpetuate the federal spirit that embraces the national/group-specific rights, and the federal hierarchy that privilege republics over other units. Another side was made up of supporters of the liberal understanding, who wants to make all federated units of Russia equal subjects of the federation and who prioritize individual rights within a democratic state. This camp was pro-change and thought that a radical

transformation of the Russian federal system is needed, converging to the American federal system. *Oblasts* and *krais*⁹⁶ that have been hierarchically positioned under the republics for decades have followed this line as they will benefit from the realization of this understanding.

With the resignation of Mikhail Gorbachev on December 25, 1991, the CPSU, the only body capable of reconciling the rebellious republics, officially disappeared. As detailed in Section 1.3.1.2, the CPSU has served as a centripetal force coordinating and holding together also the autonomous republics, as well as it did to the union republics, in the seventy-year history of the Soviet federation (Filippov & Shvetsova, 1999, pp. 67-68). As long as this force exists, the disagreements in the official federal decision-making processes and the deficiencies in the formal federal system determined by the Soviet Constitution did not create a setback in the federal functioning; because the centralist decision-making bodies of the Communist Party enabled the federated units to come to terms in one way or another. Moreover, the federated units, not doubting that they were represented in the most vital institutions of the Communist Party and that their ideas were taken into account, were satisfied with their representation and often did not insist on non-compromise. This opened up a kind of informal channel of representation within the Soviet federal system. When this force *de facto* began to disappear at the end of the 1980s, the republics, which started to express their unrest before the end of Soviets by thinking that they could no longer be represented in Moscow as a result of the disappearance of traditional representation channels, with the official end of this force found a wide range of action before them and became very difficult to be reconciled. In other words, the disappearance of the centripetal force caused the republics to gravitate towards a centrifugal drawing. On top of this, in the late 1980s-early 1990s, when Gorbachev's promise of sovereignty within the USSR to the republics of Russia equal to that of Russia (Filippov & Shvetsova, pp. 68-69) was added, it would be easy to say that the centrifugal force in question became stronger. From this point on, there was only one way to reconcile with the republics

⁹⁶ Hereinafter referred to as regions.

while establishing a new regime: To guarantee to the republics a formal constitutional autonomy, at least to the extent of informal representation they lost, and grant them a constituent role at least at the level promised by Gorbachev; and while doing this, giving consent to the passage of many additional powers from the center towards federated units. Besides, there were also those among the republics who demand much more than this. This being the case, how it would be possible for Russia to move from an ethno-federal system to a federal-territorial (as in the US) system in which all units are equal subjects of the federation (Sakwa, pp. 245-246), or at least find an intermediate formula by the way of compromise? The Russian Federation, which needs this compromise in order to be a solid federal state and to get rid of the problems created by the Soviet federal system, could not be very successful naturally in the chaos created by this period; and by not being able to make structural reforms, she had to continue the problematic asymmetric and ethnic-based federalism legacy of the Soviets with small changes. This point of view is also compatible with Filippov and Shvetsova's 'path-dependence' argument: According to this argument (1999), "the genesis of asymmetric bilateral bargaining in Russia had a strong 'path dependence' component" (p. 61), which means that newly constructing Russian federalism was very much affected by the latest developments in the Soviet federalism and "the initial period of Russian federal instability (1990–1993) ... was rooted in the institutions that developed during the late Soviet period" (p. 74).

Therefore, at the end of the Yeltsin part of the story, justified questions arose about how healthy the reconstructed federation was. In that case, "the chaos out of which the new federal state emerged in the years between 1990 and 1993 ... had important practical implications both for the Russian state qua state and for the kind of federation that it became" (Burgess, p. 30) and Boris Yeltsin was at the wheel of Russia during this troubled times. The period of President Yeltsin characterizes the relatively unsuccessful transition process, in which the federal control over the federated units diminished to the degree that some of these units declared their independence and rejected the supremacy of federal constitution and their

obligation to pay taxes to the center, and the events afterwards triggered by the failure of the reforms made in this process.

2.1.1. Wars of Succession and Debates on New Federalism (1991-1993)

The process to be described hereinafter was a period of chaos for Russia. Russia had just left the Soviets. In this context, she already had many socio-economic problems inherited from the Soviets. The economic negativities brought about by shock therapy had exhausted the Russian people. Added to this was the power struggle between Yeltsin, representing the executive, and parliament, on behalf of the legislature. Yeltsin, who had a harsh power struggle with Gorbachev during 1990-91 while the curtain was drawing in the Soviets, this time as the president of the Russian Federation, which gained its independence after the dissolution of the USSR, entered into a tough power struggle with the parliament. This struggle was in general a reflection of the deep disagreements that spread across the country on issues such as the constitution, form of government and federation. However, the tension between the executive and the legislature sharpened these divergences, to the degree that making any compromise between the parties impossible. These were problems hard enough to solve for a country once again trying to get back on its feet, and were added on the economic problems as political problems to the extent that would create a state crisis.

According to the information given by Ross (2003, pp. 122-125), the incident that took place in Russia between the years 1991-93 was a protracted political deadlock or mutually hurting stalemate occurred due to the disadvantages of Russia's political system; but over time it turned into a bloody conflict between president/government and the parliament. The *first* pillar of the conflict was about what would be the political regime in Russia: Would the presidential system or parliamentary system prevail in Russia? During this tension, Yeltsin issued decrees to increase the powers of the president and the executive at the national and regional level; as for the Supreme Soviet also drafted and passed laws to increase the power of both national and local parliaments, which in turn led to a 'war of laws' in the words of Ross (p. 123). In the first round of this war, Yeltsin issued a decree in

August 1991 giving him the right to appoint regional governors. In response, the Russian Supreme Soviet passed a law in March 1992 that significantly increased the powers of the regional soviets over the regional executives. Under this law, the regional councils were given the rights such as to elect four members of the regional cabinets, vote of no confidence in the regional executives, and apply to the constitutional court for the dismissal of regional executives (as cited in Ross, p. 123). In addition, the regional councils were able to reverse the vetoes of the regional executives by simple majority. Following these developments, the Russian Parliament went one step further in December 1992 and passed another bill that deprived Yeltsin of his authority to appoint regional executives. As expected, Yeltsin did not leave this unanswered and, in a presidential decree issued in February 1993, “made the presidential representatives a permanent body under the direct supervision of the head of the presidential administration, and he simply ignored the parliament’s moves to rescind his powers of appointment of regional governors” (as cited in Ross, p.123). This conflict between the president and the parliament gradually spread to the local level, and a similar struggle began between the regional soviets and the regional executives. Therefore, two forces trying to dominate each other in almost every region of Russia have emerged. The fact that the problem could not be solved in a short time caused the system to be locked and eventually to develop into a serious crisis. Unfortunately, the solution of this crisis did not come true by sticking to democracy and on October 4, 1993, the Russian Parliament was dissolved in a bloody and forceful manner, using a large military force, including tanks. This date, when the White House was hit by tanks and hundreds of people lost their lives, went down in history as a dark day for Russian democracy. Yeltsin, who became a symbol of democracy by climbing on top of the tanks in the August coup of 1991, became the person who ordered the turn of the barrel of the tanks to the Russian Parliament just two years later. Yeltsin’s arising triumphant from the president-parliament clash in October 1993 was seen as a nationwide victory for the executive over the legislature⁹⁷. According to Ross

⁹⁷ According to Gelman, it appears that after this date, executive power in Russia began to organize in a hierarchical fashion from the center to the regions (as cited in Ross, pp.123-124). As a

(2003), this situation had two main consequences: The first of these was the “development of a semi-authoritarian form of presidential power at the federal level” (pp. 92-93), in which the legislative bodies restricted in terms of power and competences (p. 108). The 1993 Constitution was the prime example of this (see below). As for the second, it was the “more overt forms of executive dominance at the regional level” (pp. 92-93)⁹⁸.

In connection with the first, the *second* pillar of the conflict was shaped around the approval of the new constitution: While the parliamentary forces pushed “for a parliamentary constitution which would give them sweeping powers and relegate the president to a ceremonial figurehead” on the one hand; “the president on the other hand sought to create a presidential constitution with a weak parliament and a powerful executive presidency” (Ross, pp. 22-23). In addition to this dispute

confirmation of this claim, expressions such as ‘a single system of executive power’ or ‘power vertical’ began to be used frequently in many developments in Russian politics (see 1993 constitution and Putin’s reforms) after this bloody victory; and in the executive power a concentration of powers from top to bottom was targeted.

⁹⁸ Yeltsin, who consolidated his place in the Kremlin with this victory despite his decreasing popularity throughout the country, immediately after this victory turned his eyes to the local authorities, who supported the parliament to a large extent; and with the presidential decrees issued in October 1993, he abolished the regional soviets, which he saw as the local home of the communist opposition, and recommended the establishment of new parliaments with new elections (Ross, 2003, pp. 92-93). In the newly held parliamentary elections, the number of deputies in regional councils has been drastically reduced. Thus, the first steps were taken to establish smaller, weaker and symbolic regional assemblies. The main step taken to weaken the regional parliaments was that, contrary to the principle of separation of powers, giving a permission to the officials, who serve in the regional executive bodies or regional administration and mostly were appointed by the governors or heads of the regions, to obtain also a legislative duty and membership in regional parliaments while performing their executive duties. In this respect, the way for the executives to be elected as deputies in the new elections was completely opened. As a result, the regional councils were filled by members who also have executive functions. This situation caused the regional parliaments both not to work efficiently because they were dominated by the members who could do part-time parliamentary work, and they could not have an independent will because they were intertwined with the executive. In other words, regional parliaments have often been turned into ineffective institutions, which were under the influence of the regional executives and the governors, and having very few deputies to do full-time parliamentary work. The powers of the regional parliaments were further restricted with the presidential decrees that were issued afterwards. So much so that regional parliaments have very little power left compared to the powers of the Duma and the Federation Council (two chambers of the Federal Assembly of Russian Federation), which are national-level parliaments. In this context, such as the rights of regional parliaments to vote of no confidence in governors and to impose sanctions on executives were taken away (as cited in Ross, p.123-124). In addition, regional legislatures were required to take decisions by qualified majority (2/3 of deputies) to veto any decree of governors, instead of the simple majority sought before (Ross, pp. 123-124). Considering all this, it seems that governors have achieved a very safe and strong position even compared to the president.

over content, another disagreement was over the adoption mechanism (DeBardeleben, 1997, p. 39). Yeltsin's idea of a referendum was a rather problematic approach according to legislative⁹⁹. During this process, many constitutional drafts were prepared by both sides; however, the current dispute did not allow any draft to be accepted. A constitution was approved only after the dissolution of the Supreme Soviet in September-October 1993, and upon his victory Yeltsin was able to promulgate the presidential constitution (see below) in December 1993.

Apart from the political regime and constitutional issues, another issue that triggered the conflict that spread throughout the country was *federalism*. As explained above, the constitutional debate somehow did not come to an end. Undoubtedly, one of the most important reasons for this inconclusiveness was the disagreement about what kind of federation structure the newly established regime would be shaped around (Sakwa, p. 249). This issue was so complicated that it started to be discussed even before the dissolution of the Soviet Union. The negotiations in the Supreme Soviet were one of the most striking examples of these discussions. As you may remember, the Russian Supreme Soviet, on the one hand was making legal arrangements related to the question which republics will constitute the federation to be reorganized, on the other hand it was discussing which titles and powers these units should have. In this context, a draft constitutional work was conducted in October 1991. According to information given by Sakwa (pp. 249-252), this draft proposed a different structure than the current organization of the RSFSR and proposed two equal types of federal units within Russia: The first of these were the 'republics' that were planned to be established within an ethno-federal framework, but although they were established with reference to 'autonomous republics', they would not be autonomous like them; others were '*zemlis*', which would be established on a federal-territorial basis, similar to federal units in the US and Germany¹⁰⁰. This meant that the three different

⁹⁹ This method could have caused Yeltsin to determine the content of the text to be voted on and the referendum process to be manipulated by Yeltsin.

¹⁰⁰ Something like American states or German Länder.

types of ethno-federal units¹⁰¹ within the existing federative structure of the RSFSR would be represented as one type. Likewise, three different types of territorial-federal units¹⁰² would also be administered as one type. Thus, the federal structure would be considerably simplified¹⁰³ by reducing the unit type from six in total to two. A similar simplification was envisaged in the number of units, and around forty¹⁰⁴ units were designed to replace the existing about ninety units throughout Russia. This meant that the old federative structure, in which only ethnic regions were seen as subjects of the federation, changed and Russia became the subject of the federation as a whole. However, the problem was that such a proposal was far from satisfying almost all parties that brought the issue of federation to the table. Sitting at one end of the table were undoubtedly patriots and ultra-nationalists like Zhirinovsky, who is still actively engaged in politics. They fervently argued that all national-territorial units that already existed in the country should be dissolved and that the country should be reorganized in a unitary way. According to this approach, post-communist Russia had to be divided into administrative districts pure and simple, and structures similar to the Tsarist *guberniya* in this context could be rebuilt. However, according to supporters of this idea, the reestablishment of the *guberniyas* and the resurgence of nationwide gubernization after a century would not mean the establishment of a Tsarist-like centralism in the country, after all not every unitary state had to be centralist. At this point it is quite interesting that this view did not derive its only historical source from the Tsarist *guberniya*. As will be remembered, a very close proposal to this was presented to Lenin by Stalin during the establishment of the Soviets, which was the autonomisation plan. This meant that this view clearly had a continuum in the debates about Russia's federalism. On the other hand, those on the other end of the table were the leaders of the republics of Russia. They were of the opinion that the hierarchical structure that dominated the federalism of the country should be preserved and within this framework, ethno-federal units should definitely be maintained as the units at the top of this hierarchy.

¹⁰¹ ASSR's, AO's and AOK's.

¹⁰² *Oblasts*, *krais* and federal cities.

¹⁰³ For some it was not a simplification, but a weakening.

¹⁰⁴ The republics and the *zemlis* in total.

Moreover, the advocates of the idea of permanence of ethno-federalism were not simply leaders of autonomous republics or separatists in republics such as Chechnya and Tatarstan; interestingly, some Russian nationalists, who believed that Russians did not have any autonomy for many years, so they were subordinated to units belonging to other ethnic communities and therefore Russians should also have an ethnic Russian Republic, also supported the permanence of ethno-federalism. It seemed impossible, then, for such a scheme to find a middle ground between these two extremes. Such a draft could only be accepted by someone in the middle of the table. However, there was such a group, which expressed a third view of what kind of administrative structure post-communist Russia should organize in. According to this approach, Russia, definitely with the necessity to be a federation, should have been composed of republics and *zemlis* that completely have equal rights and positioned in the same status; and accordingly, the distinction between ethnic and territorial units should have been eliminated. As can be understood, the 1991 draft was also based on this third view in order to bring the two extremes together. However, far from finding a middle ground, this draft was found quite repulsive by both of the two sides of the table. The ‘unitarists’ kept their distance from this draft, considering that this proposal legitimized the existence of ethno-federal regions by granting broad rights particularly to titular republics, that it did not recognize the rights of the Russians living in those regions and thus harmed the unity of the country. ‘Ethno-federalists’, on the other hand, concluded that the status of the republics and other regions was trying to be equalized and thus the existing privileges of the republics were intended to be removed. Indeed, this proposal meant a departure from the federal structure of the Soviets, which based on the principle of right of nations to self-determination and in this context prioritized the existence of ethnic units by granting rather broad privileges to titular units. In this way, the principle of ethno-federalism would be weakened and an understanding of federalism purified from ethnic origin would be prevailed. The republics, with the support of other ethno-federal regions, realizing that they could thus lose the statehood they had for more than seventy years, strongly opposed this and started to show that they are very determined not to give up their rights. This was what

forced Russia be tarred with the same brush with the Soviets. The versions proposed thereafter necessarily consisted of proposals closer to the point where the ethno-federalists stood, and as such, many concessions were made to the elites in the republics¹⁰⁵. Consequently, Russia had to maintain the ‘ethno-federal’, ‘hierarchical’, and ‘asymmetric’ structure inherent in the Soviets to an undeniable extent. Filippov and Shvetsova (1999) called this as “path dependency”. Similarly, Sakwa (2008) called it “the hallmark of path dependency” (p. 249). However, there was an important difference here: As detailed earlier, Soviet federalism controlled its ethnic, hierarchical and asymmetrical federal structure with a very strong centralism. However, young Russian Federation did not have such a capacity. Her efforts to build top-down federalism drew the reaction of ethnic units from the first minute. Under the circumstances, Russia would move forward with a federalism in which power was shared more bottom-up.

Although Russian federalism is unquestionably a continuation of Soviet federalism, it is not correct to say that the current federal structure of the Russian Federation is a directly inherited institutional form (Lynn & Novikov, 1997, p. 191). The federal structure, which was more or less certain what form it will take towards the end of 1993, is a product of years of discussions and negotiations, although it did not create major changes in the Soviet federal system in the final analysis. So much so that the debate on federalism goes before the beginning of the power struggle between the president and the parliament and began by “the events that led up to the declaration of sovereignty by the RSFSR in 1990” (Lynn & Novikov, p. 191). As explained above, the negotiations in the Supreme Soviet are one of the most prominent examples of these discussions. The question of what kind of federalism post-Soviet Russia should have has been discussed at length in Moscow, in the republics and regions, and many arguments have been developed regarding this. This issue, as well as the Supreme Soviet, has for a long time occupied the

¹⁰⁵ By contrast, these versions, in keeping with the spirit of the third view on which the 1991 draft was based, had managed to not formally deny the principle of equality of federal units that made up Russia, and were able to extend the rights of the regions of Russia, while having to preserve the special status of the republics. Thus, although the federated units could not be fully equalized, the rights of the regions were able to get closer to the point of republics. This could have been considered a ‘partial compromise’.

agenda of also the other circles, from intellectuals to bureaucrats and politicians. In this context, it would be absolutely correct to say that there was a federation debate that took place in almost every region of Russia between the years of 1990-93. According to Lynn and Novikov (pp. 191-198), three models came to the fore in the discussions on 're-federalization' of Russia. The 'unitarist' approach mentioned while dealing with the discussions in the 1991 constitutional draft was not one of these models. The reason for this is that this approach was not realistic because it did not match Russia's federal accumulation of decades and it was known that ethno-national units, especially the republics, would not accept it in any way. Putting this fact aside, the first two of the models discussed by Lynn and Novikov (1997) are the models we are familiar with given the federal history of Russia described so far. The first of these is 'territorial federalism'. This model have stemmed from a more liberal proposal in which group-specific rights peculiar to nationalities are removed and individual rights and freedoms are recognized equally to all members of the federation. According to this proposal, ethno-federal units and identity emphasis such as national self-determination peculiar to the nations living in these units are abolished. Following this, fewer and larger administrative districts are established or Russia's already existing federated units are kept numerically. However, from this point of view what is important is that the status of federated units must be equalized, regardless of their number. In other words, the Russian Federation must be a federation composed of federated units that are completely equal with each other. This means that Russia's new federal system will be like American or German-type federations. Not surprisingly, those who hold this view are highly influenced by federal developments in the West and liberal intellectuals such as Andrei Sakharov. The most well-known proposal that adopts this view is the plan given in 1990 by Oleg Rumyantsev, secretary of the Constitutional Commission of the Supreme Soviet of the Russian Federation. According to this plan, Russia should be divided into twenty equal federal regions (*zemlis*), just like the *Länder* of Germany, and the federal government should make a constitution that guarantees fundamental human rights and freedoms (Lynn & Novikov, p. 193). Gavril Popov, who served as mayor of Moscow between the years 1991-92, made

a similar proposal by stating that it was essential to end ethno-federalism; and stated that Russia should take the American model as basis and be legally divided into 10-15 large-scale regions equal to each other (Lynn & Novikov, p. 193). It is also clear that this liberal view has an economic motivation: With such a federal structure, it may be possible to establish a large and common market where trade barriers and tariffs are lifted in a large country like Russia. The second model is 'national-territorial federalism'. According to this view, the national-territorial federal structure inherited from Soviet federalism and the asymmetry applied in favor of ethno-national units have held Russia together until today rather than creating problems. If post-Soviet Russia wants to continue to preserve its territorial integrity, it should not hesitate to grant non-Russian communities some form of statehood and group-specific rights in a national territory identical to their name, as in the RSFSR. Therefore, the national-territorial federal structure from the Soviet Union and the asymmetry between ethno-national units and territorial units within this structure must be preserved. Moreover, it is not fair to suddenly ignore the rights, statuses and structures that have been in force for seventy years. Simply put, this point of view advocated the continuation of the federal system applied in the Soviets. Unsurprisingly, the chief advocates of this proposal had been the leaders of the republics. However, there were others who defend this proposal other than the leaders of the republic: Ramazan Abdulatipov, who was the chair of the Council of Nationalities that was a one of the two chamber of the Supreme Soviet of the Russian Federation in between the years 1990-93, asserted that it is better for Russia to establish a mixed system including both ethno-national and territorial principles (Lynn & Novikov, p. 195). In this context, he "condemned those who sought to replace the national principle by the territorial one" (Sakwa, p. 248) by stating that "the priority was individual human rights, but this should not infringe national rights" (Sakwa, p. 248). By saying this, what he referred was the national-territorial federal model. The third one is the 'local self-management model' that Sakwa and other researchers did not highlight. According to this model, the Russian federal system should be based on the local level, not at the regional or national level, and communities should be provided with the right to self-expression and self-

government in territories such as towns and villages, and the reconstruction of the Russian society should be started at the simplest level, just like in the Russian Empire. Pursuant to the followers of this idea, this is the only way to remove the Soviet wreck. This view is based on the *zemstvo* reforms implemented in the 1860s, which formed councils elected to be responsible for regional administration in Tsarist Russia (Lynn & Novikov, p. 195). The novelist Aleksandr Solzhenitsyn was one of the well-known supporter of this idea. Each of these models contributed to the democratic debates on the development of the idea of federation in post-Soviet Russia. Ultimately, although the Russian Federation had to follow the Soviet federal legacy, this made ‘partial compromises’ possible as stated above, and kept the possibility of ‘the middle- of-the-road approaches’ to achieve an ideal federalism alive¹⁰⁶.

But there was another problem that fueled and deepened the chaos so far described. This was the matter of *ethnic secessionism*. As Burgess summarized (pp. 32-33), these years symbolized a chaotic and painful transition period in which Yeltsin was engaged in an arduous power struggle, first with Gorbachev and then

¹⁰⁶ I mean it is true that Russia is continuing its path with the national-territorial federal system, a Soviet legacy. In the Russian federal system, a radical change could not be made due to the resistance of ethnic units and especially the republics, and the federal understanding, which includes both ethno-national and territorial units, had been continued. However, looking at the federal texts prepared in the following process, it is seen that some principles of territorial federalism as well as national-territorial federalism are tried to be implemented and a more middle way is wanted to be created. For example, Rumyantsev, who suggested only the establishment of equal *zemlis* in 1990 and advocated the idea of territorial federalism, supported ‘the middle- of-the-road approach’ in which both *zemlis* and republics coexisted in the constitutional draft negotiations in 1991 (Sakwa, 2008, p. 250); however, by saying that these units should be equal, he showed that he did not give up the most important principles of territorial federalism. This had showed that while some Russian intellectuals actually desired territorial federalism, they also accepted the legacy of ethno-federalism and tried to find a middle way. A similar example was voiced by the ethnologist Valery Tishkov. Tishkov supported Rumyantsev’s territorial federalism plan put forward in 1990; however, he was also aware that the local *nomenklatura* would not accept this in any way. According to him, national autonomies were a reality and had to be accepted (Lynn & Novikov, 1997, p. 197). The concepts defined as ‘middle way’ or ‘partial compromises’ within the scope of this thesis refer to such pragmatic and realistic approaches. According to these approaches, ethno-federalism, which cannot be dispensed with due to the resistance of the republics, should continue; but the federal system must somehow converge to the territorial federalism. This way of thinking has been tried to be implemented in all texts determining Russia’s federalism. The chaotic days of the Federal Agreement did not allow this to be realized in the agreement in question. However, this was partially achieved in the 1993 Constitution, where the principle of equality between units was recognized as a principle. This situation of creating ‘partial consensus’, has been made possible thanks to the accumulation created by Russia’s long-standing federal discussions.

with the parliament. In such a painful period, it was impossible for the central powers not to suffer a weakness and a significant power vacuum not to arise. This was exactly what happened in Moscow between the years 1991-93, and this was an opportunity for the republics to reassert their claims concerning of broader national autonomies and sovereignties. The power gap in Moscow in the period of 1991-93 was similar to the weakness that emerged in Moscow towards the end of the 1980s due to Gorbachev's reforms. As will be remembered, Gorbachev's reforms resulted in the erosion of the central authority of the Communist Party and a great power vacuum emerged. In the aforementioned period, the union republics and autonomous republics made good use of this gap and created the 'parade of sovereignties'. Just like that day, the risk of 'parade of sovereignties' was faced with again. As expected, the republics did not miss this opportunity, and made an effort to revive a second 'parade of sovereignties', some of them by trying to expand their sovereignty and legal rights and the others by making separatist propaganda. Taking advantage of the weakening of the central power, they acted quite resolutely in their demands regarding their national autonomy. The vast majority of these, by taking advantage of the fact that there was still no consensus on any text that determines federal relations, unilaterally enlarged their rights and privileges (Ross, p. 23). This led to the 'Soviet syndrome' in Russia, and the fear of disintegration penetrated post-communist politics, as Sakwa said (p. 205): If the current power vacuum caused by the struggle between Yeltsin and the parliament continued, what happened to the Soviet Union could have happened to Russia as well. The unilateral moves of the republics in the direction of expanding their rights, reminded of the 'war of laws' between the union republics and the Soviet central government during the Gorbachev period (Ross, p. 61); and the growth of chaos could have raise the possibility of things to morph into this point for Moscow. Afterwards, the republics could have go further and attempt to declare their independence from Russia, just as the union republics did to the USSR. "The collapse of communist party control allowed ethno-territoriality to become the driving force of Soviet imperial disintegration and this posed a similar threat to the territorial integrity of the new Russian state" (Burgess, pp. 32-33). However, more time was needed for the

struggle between the president and the parliament to end. So, an interim solution had to be found without waiting for the federalism debates and constitutional negotiations to be terminated. This situation made it necessary to make a temporary or permanent agreement, at least on the federation issue, in order to prevent Russia from being torn apart by separatist movements as in the Soviet Union in such a period of chaos when the central powers in Moscow were paralyzed, what very well pointed out by Burgess (2008):

“Yeltsin, who in 1990 had actively encouraged Russia’s autonomous republics to ‘take as much sovereignty as they could swallow’, found himself signing the Federal Treaty of March 1992, conceding greater powers to the republics and regions, in an attempt to rescue Russia from the same Soviet fate” (pp. 32-33).

2.1.2 1992 Federal Treaty

In the chaotic period that was considered to have begun with the flare-up of the federalism debate in October 1991, the opposition of the national republics to views other than ethno-federalism was unwaveringly strong. According to Lynn & Novikov (1997), the regions (*oblasts* and *krais*) demanded a more genuine self-government compare to the unitary-like system employed by the Soviet Union. However, for them, a genuine self-government required equality between different types of federated units. In this framework, they were against the Soviet policy of nationalities that privileged ethno-federal units and did not want this system to be continued in the Russian Federation. Such an approach found many supporters in Russia, which was implementing a liberal program for transformation, and was particularly welcomed by liberal-democratic circles (p. 191). The Republics, on the other hand, were greatly strengthened by both sides during the struggle between Gorbachev and Yeltsin. So much so that in the last years of the USSR several Russian autonomous entities had declared within the USSR the status of a Union republic equal to that of Russia; and before the USSR disintegrated, they had begun to demand the signing of special agreements, which define their relations with Russia, as a precondition for their re-membership to the Russian Federation (Filippov & Shvetsova, pp. 71-72). Now they had a new field of action in front of

them, and this time they wanted to get stronger by taking advantage of the power vacuum created by Yeltsin's struggle with the parliament. They were making propaganda that the right to self-determination, which they thought not seriously existed in the USSR, should become real; and they requested "a federation that allowed them to develop further the national sovereignty they felt they had begun to win with their own sovereignty declarations in 1990" (Lynn & Novikov, p. 191). They certainly did not want to be positioned on the same level with the Russian *oblasts* and have the same rights with them, although the rights granted to them would be further extended compared to the past. Given their status for nearly a century, they should have had more rights than them. According to Sakwa (2008), it was the collaboration of almost all republics at this point that made them successful (p. 250)¹⁰⁷. On the other hand, the issue also had a dimension related to Yeltsin: Yeltsin needed the support of the regions in his struggle against parliament (Ross, p. 173). Also, as the power vacuum widened, the likelihood of Russia's territorial integrity being corrupted by the republics increased. Nevertheless, some concessions given to federal units, especially the republics, could both keep these units within Russia and make Yeltsin's job easier in his struggle with the parliament.

It is this mentality of the president and the above-mentioned harsh opposition of the republics met on a common ground on March 31, 1992. The republican elite, who made good use of the political impasse in Moscow, won an important victory (Ross, p. 23), and Yeltsin was forced to leave great powers to the federal units (Ross, p. 173). This date denoted the conclusion of the tripartite federal treaty in which the rights and privileges demanded by the federated units were guaranteed, the balance between these rights and privileges given to the subunits

¹⁰⁷ The ethnic composition of the republics united in this opposition did not matter (Sakwa, 2008, p. 250). In other words, regardless of the proportion of titular nationals in any republic to the general population of that republic, all republics wanted to be regarded as privileged at the same degree and have the same rights. So, it was status that mattered. To put it more precisely, in some republics of Russia the ratio of titular nation to the total population of that republic had drop to tens of percent. In some republics, this rate could have even been over fifty percent. However, this did not matter at this stage. Just because they have the same status, even the republic with the lowest rate of titular nationality demanded the same rights that the republic with the highest rate would have.

was determined and the relations between the subunits and the center were regulated. These three covenants were called the ‘Federal Treaty’ for short, and came to be referred to as such from now on.

According to Sakwa’s information (pp. 250-252), the Federal Treaty set out three types of jurisdictions: Matters under common jurisdiction, which center and sub-units are jointly responsible such as the use of natural resources, education and health services; as well as matters that are left solely under the exclusive jurisdiction of sub-units and the federal center. In this context, Moscow managed to hold the powers such as the control of defense and security policies and the determination of federal taxes; and the units included in the treaty gained important rights, especially in controlling natural resources, shaping national state borders and conducting foreign trade on their own. In this context, a significant degree of decentralization was achieved, notably by granting significant powers to the republics and partly to the regions, which is what made the Federal Treaty so valuable for the subunits.

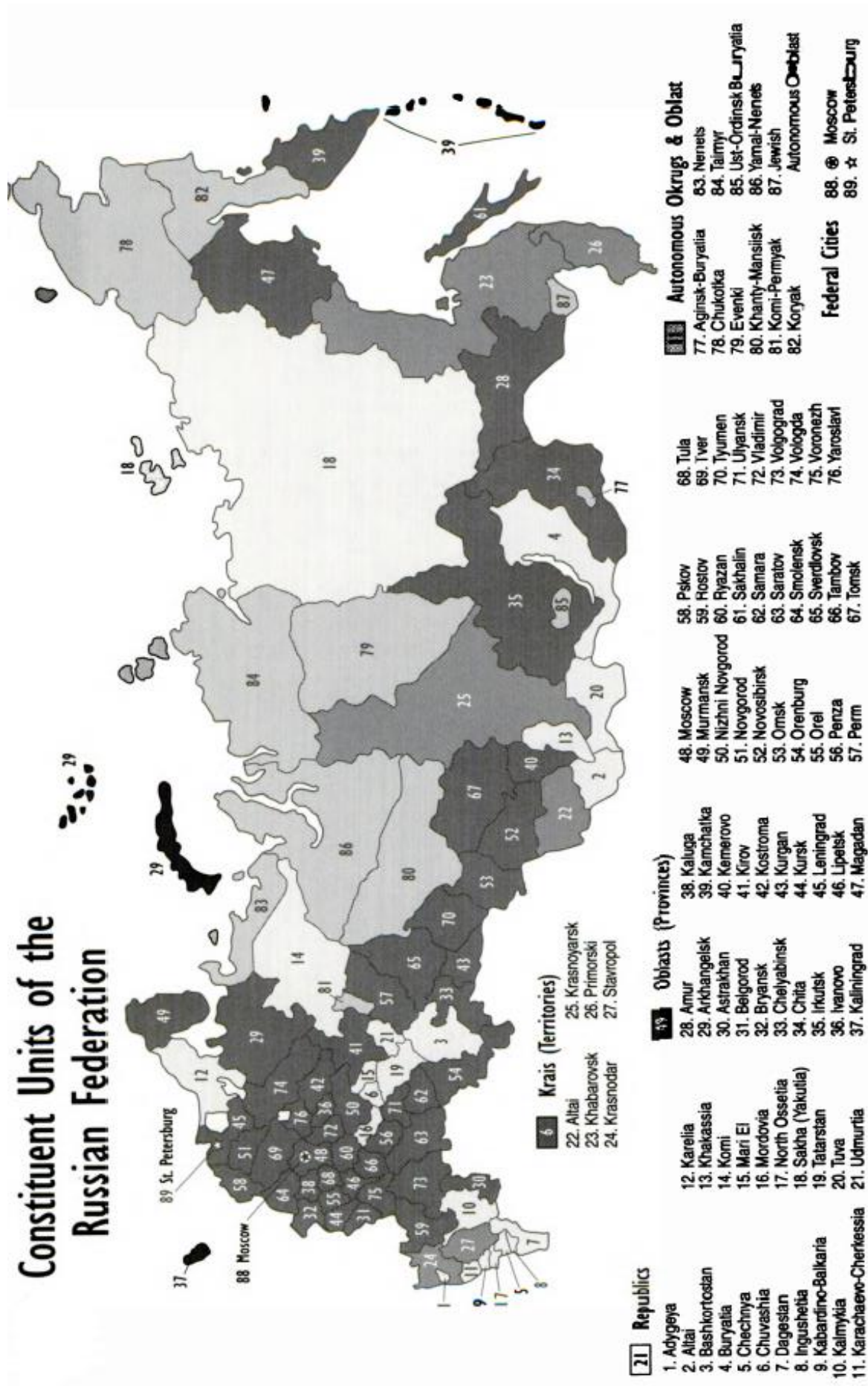
In addition, with this treaty, it was finally stated which units the newly established federative structure consisted of (see map 1). The Federal Treaty spoke of the existence of *three* different types of units, as evidenced by the concluding of three treaties: The *first* of these were the ‘national state formations’ considered ‘sovereign republics’ of the Russian Federation, the former constituent autonomous republics (ASSR’s) of the RSFSR. As detailed in the previous section, their number became 20 with changes made just before the collapse of the Soviets. With the division of the Chechen-Ingush Republic into two a few months after this agreement, this number would be 21, which would increase the number of units that make up the Russian Federation to 89 in total. *Second*, were the ‘territorial-federal formations’ that were also remained from the RSFSR. As was also said, the number of these regions with administrative purposes only was 57 and consisted of three different types of units: 6 *krais*, 49 *oblasts* and 2 federal cities. The *third*, was 11 ‘national-territorial regions’, also as a Soviet legacy. As is known, these were also 1 ‘autonomous *oblast*’ and 10 ‘autonomous *okrug*’. As will be remembered, their number in the RSFSR was 15; however, with the changes made in July 1991, the

four autonomous oblasts were raised to the level of the republic, so their number dropped to 11.

Each of these categories was endowed with different rights and powers, but the republics continued to have the distinction of having statehood, just as in the period of the Soviet Union. In this context, each republic could have its own constitution, laws, elected parliament, high court and president. Besides, the republics would continue to enjoy some economic privileges compared to the regions. They acquired remarkable competencies such as freedom to engage in foreign economic relations with considerable control and ownership over their natural resources and land (Ross, pp. 23-24). Moreover, they were recognized as sovereign states and were often empowered to take their own decisions on issues such as citizenship, signing bilateral agreements with foreign countries, and establishing independent foreign policy. Likewise, they also gained a significant degree of autonomy in determining government systems and tax and budget policy within their borders. As for the coordination of macro issues in international relations and international economic policies was left to the joint jurisdiction of the federal government and the republics.

Almost all republics were content enough of being able to maintain such rights, which they had previously, in the new federal order. Indeed, eighteen of the twenty republics signed the mentioned treaty. However, there were two of them who did not see it as an achievement to be content with the rights they already had. Moreover, in their view, the treaty in question could have require them to waive some of the rights they should have. For example, this treaty did not refer to the right of these units to secede from the federation, although it defined the republics considered to be the constituent of Russia as 'sovereign'. Whereas, if a unit was sovereign, that unit should also have the right to leave. This right was granted to the constituent and sovereign union republics as a fundamental principle in all Soviet constitutions. This could meant that no such principle would henceforth be based and therefore the subunits would be more fused together, no matter how much the powers and freedoms granted to the units were expanded. Therefore, these two republics could not agree to sign this treaty. Chechnya, the first of these republics,

FIGURE 2.1 The Federal Composition of the Russian Federation Up to 2005



Source: (DeBardeleben, 1997, p. 41)

fully concentrated on achieving its independence. It had demonstrated this intention by declaring its independence from Russia in November 1991, a month before the dissolution of the Soviet Union, which would have resulted in a crisis that would last until the late 1990s and would grow to the extent to cause two wars between Russia and the Chechen Republic. The second was Tatarstan, which was not as willing to escalate a possible crisis as Chechnya. Tatarstan wanted a separate bilateral treaty, unique to itself, recognizing Russia and itself as two equal sovereign states. The other republics closest to these two republics at the point of discontent were Bashkortostan and Sakha. These two republics had bluffed that they would not join the treaty in question; but in the final analysis, satisfied with some of the economic carrots and special concessions given to them, they signed the treaty (Solnick, 1995, p. 52). Thus, Moscow was able to reorganize the powers between the federal center and sub-units to a great extent by persuading at least other units apart from the two to join the treaty in one way or another. Thus, the arduous debates on the issue of federation were alleviated, albeit for a short time.

In this manner, as Sakwa said (pp. 251-252), the signing of the Federal Treaty did not mean that a new state or a new federation was established. Russia was a state that had already existed for hundreds of years. Moreover, she has a history of federalism that goes well beyond the times of the Soviet Union, as described in the very first chapter of this thesis. Therefore, it was out of the question to establish a state that did not exist or to transform a state that was not a federation previously into a federation. What was done by this treaty was merely a redefinition of the power sharing between the federal center and the subjects of the federation. As in every renewal process, serious differences of opinion emerged in this process about how this renewal should be. The problem was how to distribute power in the new regime between federated units of different levels taken over from the Soviet federal system, and the Federal Treaty was the first attempt to solve this problem. Ultimately, radical steps could not be taken due to the resistance of the ethnic units, and despite all efforts on the contrary, a federation based on the principle of *ethno-federalism* was once again constructed in Russia. The first text that determined the federal system of the country had to be prepared during the period of 1991-93 (Ross,

p. 23), when there was a weak and divided federal authority, and the ethno-federal regions that took advantage of this managed to dominate the process. For the same reason, status differences between federation components had to be preserved, which meant the continuation of the *hierarchy* inherent in Soviet federalism. Otherwise, there could be no other logical explanation for the preservation of the existence of three different types of units. As a natural consequence of this, the differences in competence and power between components at different statuses had to be maintained. This meant that *asymmetric federalism* also dominated the Russian Federation. Ross (2003) agreed with this opinion by saying that the treaty “created an ‘*asymmetrical federation*’ with the rights granted to the ethnic republics far outweighing those given to the territorially based regions” (p. 23). The specter of Soviet federalism, then, would continue to wander over the Russian Federation for many years to come, and if Russia wanted to continue its life as a single whole, Russia had no other choice but to internalize it, at least for now. It was necessary to make this concession so that the country would not be torn apart. From this time forth, “*asymmetrical federalism* appeared to be the only basis on which the Russian Federation could survive” (Sakwa, p. 252).

2.1.3 1993 Constitution

The Federal Treaty was never seen by the federal center and those who adopted the territorial-federal view, as an equivalent of the constitution that was attempted to be made, or it was not made in order to replace the constitution in question. On the contrary, this treaty was expected to put a comma to the debate on federalism in the days of chaos and thus facilitate the conclusion of a new constitution. According to another view expressed by Lynn and Novikov (1997), the “disintegrative dynamic” (p. 197), which peaked in the chaotic process following the collapse of the Soviets, could only be overcome by such a treaty. The sovereignty and great powers given to the republics were to calm down some of those who pushed for greater autonomy and independence on the road to a constitutional and democratic federation; and aimed at preserving the territorial integrity of the country during the transition (Lynn & Novikov, p. 192). While the

systemic transformation was taking place, it had to be compromised with the republics in order to keep the state alive, and the Federal Treaty was a step taken towards this. In both functions, this treaty was short-lived and temporary. However, even though the Federal Treaty successfully fulfilled its task of holding the country together, it could not facilitate constitutional discussions by failing to put even a comma in discussions on the future of Russian federalism.

The first reason for this was that the Federal Treaty failed to clearly define the responsibilities of the governments at different levels (Lynn & Novikov, p. 202). The view of the republics and those with national-territorial perspective to the Federal Treaty was initially very positive: They thought that it gave the republics the right to establish their own state and thus strengthened their sovereign state positions (Lynn & Novikov, p. 192). According to them, their situation had become permanent “as national states within an asymmetrical Russian Federation” (Lynn & Novikov, p. 198) with a permanent agreement. However, the uncertainties created by the treaty in question, caused many republics, who gladly signed this treaty, to experience serious dissatisfaction and to complain over time. Such that, the responses from the federal center to questions such as the what extent the subunits have control over their natural resources and how they can exercise their right to levy taxes within their own borders were rather vague. The provisions of the Federal Treaty were quite insufficient to determine the practical use of such rights on property and taxation (Sakwa, p. 252). Besides, the main question as to whether the Russian Federation (RF) should be established on a territorial-federal principle rather than an ethno-federal principle has not actually been answered (Sakwa, p. 252); because the solution found by the Federal Treaty did not emerge as a permanent way found as a result of a healthy debate, and came to life as a temporary and compulsory intermediate formula found in the period of complete chaos. This imperative posed a second problem and created an unhealthy hierarchy that many federal subjects, particularly regions, were dissatisfied with. After the first covenant signed with the republics, “the Supreme Soviet adopted a ‘Law on Krai and Oblast Soviets of People’s Deputies and Krai and Oblast Administrations’ laying the legal foundation for those units” (DeBardleben, p. 38), and what is striking here is that

the rights granted to *oblasts* and *krais* were much more restricted compared to republics. As said before, 21 republics were deemed worthy of statehood, while regions were deprived of such a right. In this context, unlike republics, regions were denied the rights to write their own constitutions or elect their chief rulers. The regions could only draft their local charters, and the chief administrators (governors) of the regions were appointed by the head of the RF. At the same time, they did not have any of the rights accorded to the republics, such as ownership of their natural resources and land, autonomy in international economic and political relations, and freedom to define their own forms of government. In contrast, it was the *oblasts* and federal cities that took the burden of the country industrially, and which contained the majority of the country's population and owned most of the urban areas (DeBardleben, p. 38). This inequality created a "two-class federal system" in Ross's words, and disturbed the regions that wanted to be equal with the ethnic republics, by positioning them as *second* and even *third-tier* (Ross, pp. 24-25). So much so that the chief administrators of some regions started the propaganda that some privileges granted to the republics with the Federal Treaty should be abolished and they unilaterally raised their status to the level of republic by declaring that they could never accept a second-class position (Ross, pp. 24-25)¹⁰⁸. Neither regions nor republics, then, were happy with the Federal Treaty: The regions complained of the hierarchy they considered in favor of the republics and wanted their status to be equated with the republics; republics, on the other hand, were opposed to the treaty because of the provisions they found inadequate and ambiguous. This discontent later created another anarchy and contradiction. According to the information given by Sakwa (2008), some such as Tatarstan drafted constitutions that position themselves as an equal state with Russia; and republics such as Tuva, Yakutia, and Karelia had included articles in their constitutions such stating that local laws were superior to Russian laws. To give another example, a significant part of the republics and regions began to refuse to comply with their tax obligations to the federal center. In this context, Moscow was

¹⁰⁸ i.e. Most of the *oblasts* in the European Russia, Sverdlovsk Oblast, Chelyabinsk Oblast, Irkutsk Oblast, and some *oblasts* in the Far East.

able to collect only 40 percent of the taxes that should have come from the republics and regions in 1993. Moreover, taking advantage of the conflict between the legislative and executive powers in Moscow, some units were certainly not implementing presidential decrees and legislative acts from Moscow (p. 252)¹⁰⁹. This meant that the constitutional drafts that were inclined towards ethno-federalism and the ensuing Federal Treaty had encouraged especially the republics that the order could be deranged in their favor, let alone re-establishing a federal order. As will be remembered, Yeltsin's aim in signing the Federal Treaty was to gain the support of the republics and regions during his struggle with the parliament. The attitude of the federated units was a clear indication that things were not going as Yeltsin had hoped. In particular the republics regarded this treaty as a weakness and tried to expand their national autonomy as much as possible while the central powers were weakening. This clearly pointed to a power vacuum. This power gap could only filled in October 1993¹¹⁰.

Yeltsin had triumphed over the parliament in his struggle with the legislature and took the law in his own hands solidly. As of this date, Yeltsin's attitude towards republics and regions that made his job difficult during his struggle with parliament, has changed dramatically. Yeltsin, who urged the subunits to swallow more sovereignty as they could during his rivalry with Gorbachev, and signed the Federal

¹⁰⁹ Information provided by Ross (2003) also paralleled this: Between 1991 and 1993, rebellious republics such as Tatarstan, Bashkortostan, and Sakha stopped transferring taxes to Moscow. They used this as a bargaining tool to increase the federal subsidies given to them. According to Lavrov, direct tax losses inflicted on the Federation by only four special budget agreements done with the republics of Karelia, Tatarstan, Bashkortostan and Sakha accounted for close to 3 percent of federal budget revenues in 1994 (as cited in Ross, pp. 41-42).

¹¹⁰ According to information provided by Ross (pp. 25-26), the first signals of attempting to fill this gap came in the summer of 1993. At this time, a special constitutional conference was held to discuss the disputes among federated units. Another aim of this conference was to reduce the tension between the parliament and the government and to draft a sketch of a compromise constitution containing both parliamentarian and presidential elements. In line with their controversies with each other, in this meeting the republics demanded greater autonomy, and the regions demanded the abolition of the high-level privileges of the republics and elevation of their status to the republic level. However, Yeltsin, who received unexpected support in the April 1993 referendum, was not aiming to come to terms with either the parliament or the ethnic republics, and the delegates of the conference were designated accordingly in a top-down organization. Indeed, Yeltsin made no concessions during the conference and insisted on his presidential constitution. Ultimately, after dissolving the parliament, Yeltsin no longer needed such a conference and dominated the drafting of the constitution as he wished.

Treaty with the subunits during his dispute with the parliament, was left at the old days. Henceforth, Yeltsin hardened his attitude towards Russia's republics and regions and began to take a more hawkish stance (Sakwa, p. 252). Moreover, in order to prevent separatism, Yeltsin was known to have supported earlier the idea of dividing Russia into 8-10 gigantic regions (Sakwa, p. 250), which were not based on nationality and was reminiscent of Tsarist *guberniyas*. This showed that Yeltsin would try to receive back as much as possible of the concessions he had to make to the republics and regions during the turmoil created by his struggle first with Gorbachev and then with the parliament (Sakwa, p. 252), and he would attempt to withdraw the powers he had left them during the Federal Treaty (Ross, p. 26). The Federal Treaty, then, was seen only as a stepping stone for a genuine constitution that would lay the foundation for the federal system (DeBardeleben, p. 37). This attitude formed the spirit of the constitution ratified on December 12, 1993; and this constitution both determined what kind of legal order Russian federalism would settle in from now on and declared the end of the chaos period, which reached its peak with the abolition of the Parliament and the Supreme Soviet in October 1993. This constitution was not based on a broad consensus, by means of being a text imposed by Yeltsin, who had no obstacles in his way in terms of getting his draft to be accepted after the parliament dissolved. This patronizing attitude, "ensured that the constitutional consolidation of the state would be one that sought to rein in the recalcitrant republics and regions and subdue the assertive minority nationalities" (Burgess, pp. 32-33). In this regard, the aforementioned constitution had some striking provisions on paper. *First*, it abolished the title of 'sovereign' given to the republics in the Federal Treaty. According to the 1993 Constitution, the definition of republics as 'sovereign states' was discontinued, and this was the first sign that some privileges of the republics would be reduced by this constitution (DeBardeleben, p. 39). *Second*, and more importantly, the Federal Treaty, as a symbol of the concessions made to the subunits so far, was not included in the new constitution; however, this did not mean that the decentralization elements in the Federal Treaty had been eliminated (Sakwa, p. 253). On the contrary, the principles of self-rule and shared-rule inherent in federalism were also preserved in this

constitution. What happened here was that instead of the Federal Treaty, some articles of the constitution (articles 71, 72 and 73) determined how the division of power between federal center and subunits would be; in particular, matters within the sole jurisdiction of the federal center (through article 71) and the common jurisdictions of the federal government and federal units (through article 72) were mentioned one by one in these articles. However, the new constitution's perspective on the powers of federated units was certainly more restrictive than the Federal Treaty (Sakwa, p. 253). For example, under Article 71, vital issues of national politics such as the organization of the judiciary and court system, foreign policy, national economy, federal budget, tax and monetary policies, defense and security, citizenship, establishment of federal institutions, and federal energy systems were left entirely to the federal government (Ross, p. 30; DeBardeleben, p. 46); according to article 72, the use of natural resources, for which federal components gain exclusive gains in the Federal Treaty, was determined as a common jurisdiction (Sakwa, p. 253). Issues such as environment, education, public health, social security, coordination of external economic relations of the federated units were also kept within the scope of common jurisdiction and were not assigned to the exclusive jurisdiction of federated units (DeBardeleben, p. 46). Moreover, according to article 73, it is said that all matters outside the sole jurisdiction of the federal center or the joint jurisdiction of the federal center and the federal units were the sole jurisdiction of the federal units; however, beyond this, there was no elaboration of the remaining issues in this area, which created a situation that could lead to further restriction of the jurisdiction of federal units, causing controversy over what these 'residual powers' were. Other than that, considering that all the important powers were listed in articles 71 and 72, there was little authority left for the federal units' sole jurisdiction (Kempton, 2001, p. 209). This was an indication that the federal center was outweigh in the distribution of powers (Ross, p. 30) and that, contrary to the Federal Treaty, no genuine exclusive powers were allocated to federated units (Solnick, p. 52). As Sakwa pointed out (p. 253), the exclusion of the Federal Treaty in the new constitution had another symbolic significance: The non-inclusion of the Federal Treaty in the constitution demonstrated that the Russian

Federation would not be a *treaty-based* federation. The message that was intended to be given here was that Russia would have a *constitution-based* federative structure and therefore the highest document in the country would be the constitution. As such, the constitution would have a decisive superiority over the Federal Treaty; and in matters of federalism, no laws, statutes, regulations, or any treaties made or to be made in the country could be unconstitutional. The Russian Federation would be a federation based solely on the Russian Constitution; and federated subjects would enjoy the vast autonomy offered to them as long as they had laws that would not contradict with this constitution and federal laws (Sakwa, p. 253). *Third*, there was something more interesting about the constitution in question: According to the 1993 Constitution, the 89 units that made up the federation were formally considered equal; in this respect, it was stated that their rights were also completely equal¹¹¹. Henceforth, none of the subjects of the federation could be considered “more equal” (Sakwa, p. 253) or superior to the others. The first paragraph of the fifth article of the Constitution was quite strict in this emphasis on equality. In this case, the principle of asymmetric federalism, which was the spirit of the Federal Treaty and left to the Russian Federation as a legacy of the Soviet Union, seemed to be abandoned (Sakwa, p. 253). This was an expression of a break in the old approach that saw republics higher status than *oblasts*, *krais* and *okrugs* (DeBardeleben, p. 40). However, despite this emphasis on equality, this constitution continued to recognize the existence of units with different statuses listed in the Federal Treaty and to approach them with different criteria. Furthermore, even the differences between the rights granted to the units were evidently sustained¹¹². According to instance given by Sakwa (p. 253), republics would continue to have their own constitutions, parliaments, governments, and elected presidents. It would have their own official language, flag, and national anthem (Ross, pp. 34-35). These were rights that gave them a statehood and this constitution clearly protected these rights. On the other hand,

¹¹¹ The RF Constitution preserved the federal composition specified in the Federal Treaty (DeBardeleben, p. 40) . See Article 65 of the time.

¹¹² See Article 5.2.

other units (*oblasts*, *krais*, federal cities, AO and AOk's) would not have such rights; instead, they would be led by governors and only have the right to issue their own charters. This was of course an important privilege in the context of *self-rule* and *shared-rule*; but it was absolutely incomparable with the prerogatives granted to the republics. So how would it be possible to speak of an equality here? Of the most obvious things that made this constitution contradictory in itself, it was precisely this question. As can be easily understood from this, the equality would remain only on paper. Thus, *asymmetric federalism* would continue to live at full steam in practice. Thereby, the principle of asymmetric federalism would have been removed from the country's highest level official document; however, there would be almost no change in substance. Although equality was guaranteed in the constitution, the units would continue to have different rights in practice (DeBardeleben, p. 47). *Fourth*, was the fact that this constitution brought presidentialism to the fore and gave broad powers to the President of the Russian Federation. This was not surprising, considering that the new constitution meant a presidential victory over parliamentary forces. The federal government, which triumphed over the parliament, imposed its own draft and a constitution based on top-down bargaining was passed. As Stepan uttered (1999), top-down federations keep most of the power at the center and give federated units more limited powers. Consistent with this, articles between 80 and 93 of the Russian Constitution enumerated the broad powers of the president one by one. Among these there are articles such as the immunity of the president (article 91), the authority to issue decrees on a wide scale, and the fact that these decrees will be binding throughout the country (article 90). Pursuant to an instance given by DeBardeleben (p. 47), according to the Article 85/2 of the Russian Constitution, 'the President of the Russian Federation shall have the right to suspend acts of the Bodies of executive power of the subjects of the Russian Federation in case these acts contradict the Constitution of the Russian Federation and the federal laws, international commitments of the Russian Federation or violate the rights and freedoms of man and citizen until the issue is solved by a corresponding court'. Such a power give a chance to the President to swing a sword of Damocles over the heads of republican

and regional elites and gives a clear idea of how wide the powers of the president are. The 1993 Constitution was founded on the logic that institutions such as the parliament, republics and the federal regions could create a new challenge at any moment and undermine the president's authority, and gave the president broad decree powers to deal with such situations. As such, it was an indisputable and crystal-clear fact that the 1993 Constitution created a *presidential federalism*¹¹³. Finally, this constitution formalized the fact that a '*hybrid federalism*¹¹⁴' was established in Russia. In accordance with the definition of this concept, the articles of the constitution declared that the 'ethno-national'¹¹⁵ and 'territorial-federal'¹¹⁶ units were in the Russian Federation at the same time (Sakwa, p. 253) and listed the units included in this mixture one by one. In this respect, the Russian Federation, like the Soviet Union, emerged as a mixture of almost all the examples of federations mentioned in the very first section of this thesis, and it took its place as an unprecedented hybrid example in the literature of federalism.

Nevertheless, looking at all these innovations it brought, it could be clearly observed that, in line with Yeltsin's new stance, this imposed constitution was trying to erode as much as it could the legacy left over from the Soviets, which could not be denied in the early years of independent Russia due to the chaos encountered. This legacy, as detailed before, had an understanding of asymmetric

¹¹³ In Russia, the great powers of the president descend vertically towards the regional executives. In other words, the greater the powers enjoyed by the president in Moscow, the greater the power of the regional leaders in the regions. The reason for this is the cooperation between these two forces in the turbulent years of the 1990s. During these years, executives in the center and regions united against legislative powers challenging their authority and worked in partnership with the goal of bypassing legislation to consolidate their power in their sphere of influence. Andreas Heinemann-Grüder also agrees with this view: According to him, "the relative success of Russia's federalization ... is based upon exclusive elite pacts between Moscow and the regions" (as cited in Burgess, p.33). With this partnership, the foundations of 'presidential federalism' were laid in Russia and this system became official after 1993, when the executive prevailed over the legislative powers. In accordance with the structure of this partnership, in the presidential system in Russia, power does not only accumulate in the center, but also spreads vertically from the center to the regions, considering the common interest of the executives in the center and regions. This system, which is called 'presidential federalism' because of the fact that the distribution of power was among the chief executives, enables the power consolidation of the executives throughout the country (Burgess, p. 33).

¹¹⁴ Also called as '*national-territorial federalism*', what means the existence of national and territorial federal units simultaneously in a federation.

¹¹⁵ As in India and Spain.

¹¹⁶ Such like in the US and FRG.

federation based on national-federalism, paying special attention to ethno-national units and prioritizing group-specific/collective rights. On the contrary, the structure that this constitution intends to establish pointed to a more liberal federal order, which prioritized individual and civil rights, and in which no region were given a statehood by being favored differently than others simply because it had an ethnic difference. However, it was almost impossible to reject this legacy at the expense of provoking beneficiaries of this legacy. Hence, Yeltsin had a great limitation. This constraint was what prompted Russia to continue down the road as the heir of *asymmetric* and *ethnic federalism*, despite the changes made on paper.

Although it failed to abolish ethno-federalism and asymmetry, it is possible to say that the constitution successfully fulfilled the task of ‘eroding’ this legacy left by the USSR: Although its claims will weaken again in the near future, “the new Constitution reasserted the authority of the federal authorities, the integrity and inviolability of the Federation, the supremacy of the Constitution and federal laws ..., the creation of a single unified system of executive power, and a single economic space” (Ross, pp. 29-30). According to summarization of Ross (pp. 29-30), as a great achievement for the federal authorities, there was no mention to the right of secession of the federated units in the Constitution. Furthermore, the Federal Treaty successfully excluded from the Constitution, and a clause inserted into the text underlining the Constitution’s superiority over the Federal Treaty and the republican/regional laws. As a final blow, the Constitution declared the equality of federated units and ‘at least in theory’ ignored the special powers given to the republics through Federal Treaty. All of these attempts to bring national-federalism closer to territorial-federalism, are so important in terms of showing the transformation of the concept of federation in the perception of Russian policy makers.

2.1.4 Bilateral Treaties (1994-1998)

Yeltsin’s dissolution of the Russian Parliament in October 1993 and the ratification of the presidential constitution in December 1993 strengthened the authority of the federal center for a short time. At the very least, the euphoria of

victory of the republics, who had got what they want from the federal center with the Federal Treaty of 1992, was suspended for a while. Seeing Russian troops attacking the parliament, arresting leading parliamentarians, and Yeltsin's decrees weakening the local parliaments, the republics restrained themselves even if just a bit and began to send tax revenues to Moscow, which they had previously refrained from transferring to the center (Ross, pp. 29-30). Likewise, the regions as well for a while stopped claims to elevate themselves to republic status.

Despite all this, it was difficult to say that the 1993 Constitution was a text qualified enough to conclude the debates on the federal structure of the Russian State. This text, which was prepared in an environment far away from a compromise, low participation in the referendum designed for its approval, disapproved in 42 sub-units of the country, and which was largely a *fait accompli*, primarily created a major legitimacy problem (Ross, p. 31). In this context, some republics became restive again after a short silence and began to defend the supremacy of their own constitutions, claiming that the Federal Constitution did not apply in their respective regions (Ross, p. 35). They allocated many powers to their sole jurisdiction through their constitutions, contrary to the Federal Constitution (Solnick, pp. 52-53). They expressed their dissatisfaction with the Federal Constitution, stating that they do not accept the principle of equality of eighty-nine federated units even in theory, although it is not applied in practice.

However, most probably again for the reason of lack of consensus in preparation of the constitution, this constitution left many gray areas and contradictions. First of all, although the common jurisdictions of the federal government and federated units were specified one by one, it was not clear how these shared powers would be exercised. This situation resulted in a jurisdictional dispute between the federal government and federated units (DeBardeleben, p. 46). Another uncertainty was related to the exclusive powers of subunits: The issues of what exclusive powers the federal subunits and especially the federal components other than the republics had, how they would use these powers, and how the laws and charters they made would be positioned according to the federal and local laws were also quite fuzzy. It is said that these units could benefit from residual powers;

however, it was avoided to write regulatory legislation on the subject and to give subunits financial power that they could use independently (Sakwa, p. 254). Especially in the chapters where details were tried to be elaborated on the relation between the laws and charters made by the subunits and federal laws, extremely ambiguous statements were used (see Article 76). Looking at it like this, it was clearly understood that a precise power-sharing could not be actually determined. This would be due to the uncertainty and the above-mentioned inequality, the tension between republics and regions could not be ended either. Despite all the equality claims of the constitution, the republics had presidents they elect and constitutions they wrote themselves; regions, on the other hand, were run by governors and could only issue charters. Due to the disturbance this situation caused on them, some regions also issued charters containing unconstitutional provisions and wanted to bring their rights closer to the republics. In this manner, while the regions strengthened their propaganda to eliminate this inequality (Solnick, p. 54); the republics continued to exploit this uncertainty as much as they could to preserve the difference among the republics and the rest (Sakwa, p. 254).

Therefore, another mechanism was needed to reduce the legitimacy problem, uncertainty and tension among federal elements (DeBardeleben, p. 48). Two other reasons lay behind the need to seek another way: The *first* was the concern in the federal center originated by the fact that the 1993 Constitution and the understanding that prevailed in this constitution created great discontent among the overwhelming majority of the subunits. This discontent, although they could not agree on many issues, could have caused the republics and regions to converge on the basis of this dissatisfaction and take collective action and thus increase the risk coefficient they pose for the central authority. Moreover, the elections were approaching, and President Yeltsin, who had not given up following a pragmatic line throughout his political life, did not want to encounter any negativity that such a situation could create for him before an election, which contained question marks about his future. At the same time, Yeltsin, who gradually fell from grace and lost his popularity as the day goes on due to his authoritarian tendencies that peaked with his attack on the parliament in October 1993, needed the support of the

republics and the regions in the elections. The possibility of such an organization should not be allowed in one way or another (Solnick, p. 58), and the support of federated units should be obtained in the elections. This could only be possible with a carrot to be given to the subunits. Ross (2003) agreed with this view, and went even further, saying Yeltsin was in the opinion of some sort of bribery in order to get the support of federated units ahead of the presidential and parliamentary elections (pp. 42-43). As Furman summarized, the concessions Yeltsin intended to make especially to the republics would undoubtedly undermine the Russian Constitution and make the republics a kind of feudal lordship in which Moscow did not interfere; however, as long as the republics gave the necessary support to Yeltsin in the elections in return for the agreement, this was not a problem for Moscow (as cited in Ross, pp.54-55). In short, Yeltsin, who needed support for the elections, gave up the harsh policy he had followed only a few months ago towards the federated subjects and decided to do some favors to the regions and republics (Ross, p. 124). This would continue until the elections in 1996-1997, and the central government would not hesitate to instrumentalize various bargains in order to increase its popularity in the regions before each election (Lynn & Novikov, p. 199). The *second* was the Chechen war that broke out in 1994. Because of the sharp polarization it created in society, this war suddenly stopped the democratic debates about federalism that have been held up until now. The Chechen uprising could have encourage other stubborn republics and regions to move away from the democratic path and push federal units dissatisfied with the imposing stance and provisions of the 1993 Constitution to consider the option of secession. Without a doubt, Tatarstan was the one that comes to mind first among these. Therefore, further growth of nationalism and the idea of leaving the federation should have been prevented in the units that are likely to secede. This could only be possible with a bargain that would satisfy moderate nationalist leaders in recalcitrant regions. In this way, radical nationalist ideas could be excluded and the possible wind of sovereignty could have been calmed (Ross, p. 174).

All this led Russia to proceed to a new phase of re-federalization (Lynn & Novikov, p. 198) and by 1994 a series of ‘bilateral agreements’ began to be made

between the federal center and some republics. The way to these agreements had opened by the constitution: Article 78 of the 1993 Constitution, defined as the ‘flexibility clause’, declared that the federal executive power at the center could delegate the exercise of some of its prerogatives to the executive bodies in federated units, what could “open the possibility of bilateral agreements between Moscow and the subjects and the further development of an asymmetrical federation”, according to Lapidus (as cited in Ross, p.30). Alike, Article 11 of the Constitution declared that the relations between the federal government and the federated units ‘shall be fixed by the given Constitution, the Federal Treaty and other treaties’. In such a clause the expression of ‘other treaties’ is very much open to interpretation even today and at the end of the day it is exactly what leave the door open for bilateral treaties (Ross, p. 35). It is clear from this that the Constitution allowed the establishment of such treaties, and there is no doubt that these two articles offered an alternative plan to the constitution by legitimizing the possibility of signing any bilateral treaty in a case of disagreement in between the executive powers of the federal government and federated units. Any treaty between national government and federal subjects to be made from now on would be built on this legal basis.

These agreements, while easing the tension between the federal government and the republics, also consolidated the special status of the republics. To give an example, the agreement with Tatarstan ensured that the aforementioned republic gained considerable autonomy, especially in taxation (DeBardeleben, p. 49). This agreement contained many tax concessions to Tatarstan¹¹⁷. This situation legitimized as could as possible the constitution of Tatarstan, famous for its violation of the Federal Constitution, and the provisions of this constitution declaring Tatarstan’s sovereignty over economic and political issues such as foreign trade and foreign policy, and almost created ‘a state within the state’ (Ross, pp. 42-43). As an another example, the agreement with Bashkortostan restored the phrase ‘sovereign’ removed through the Federal Constitution and declared that the republic

¹¹⁷ Also, there were a dozen of a subsidiary agreement attached to the main treaty, which was “regulating relations in the spheres of trade, property, budget, finance, the banking system, the military, the military industrial complex, customs, foreign–economic ties, higher education, ecology and the coordination of the legal and security services” (Ross, pp. 42-43).

in question was ‘a sovereign state within the Russian Federation’ (DeBardeleben, p. 49). “The treaty gives Bashkortostan rights in conducting its own foreign policy, in ownership of natural resources, and in establishing taxation principles for the republic” (DeBardeleben, p. 49). The common feature of the agreements with Tatarstan and Bashkortostan was unleashing of both republics in profitable industrial activities such as oil extraction, oil refining or energy production (Ross, p. 41). As will be remembered, such issues were determined as a joint jurisdiction in the Federal Constitution; however, bilateral agreements done with these republics removed this issue from the common jurisdiction and left it directly to the control and ownership of local units. Similarly, the agreement with Sakha gave the republic important rights in the manner of the ownership and use of its rich natural resources such as diamonds, gold, oil and natural gas¹¹⁸ (DeBardeleben, p. 49). Until the parliamentary elections in December 1995, bilateral agreements done with other republics such as Kabardino-Balkaria, Buryatia, North Ossetia, and Udmurtia also heavily emphasized such economic and political privileges and generally provided an increase in the federal subsidies given to the republics. There were also “special and often secretive agreements attached to the bilateral treaties”, which gave republics considerable powers “to appoint federal officials in their territories, conduct their own independent relations with foreign states, set up their own national banks, and create their own political and administrative organs” (as cited in Ross, p.41).

As can be seen from these examples, bilateral agreements clearly violated the Constitution: These agreements either extended the joint jurisdiction by transferring the issues that were stated to be under the sole jurisdiction of the federal center to the common jurisdiction; or delegated some matters under the sole authority of the federal government directly to the sole jurisdiction of the sub-units¹¹⁹. As Ross (2003) said, such rights provided by bilateral agreements also

¹¹⁸ The treaty between the federal government and Sakha administration and agreements attached to that treaty also “dealing with a variety of issues, such as economic control, budget relations, the mining industry, the fuel and energy industry, ... external relations, agriculture, communications, customs, immigration, roads, education, environment and natural resources, and federal development funds” (as cited in Ross, p.42).

¹¹⁹ See 2.3.8 for details.

legitimized the powers that were unilaterally and unconstitutionally adopted by republics through their own constitutions (p. 41). Thus, the republics had achieved their purpose and undermined as much as possible the Federal Constitution that restricted them. Not surprisingly, this has led to the protest of regions that already find the rights of the republics exaggerated (Solnick, p. 55): Despite the constitution's claims of equality, bilateral agreements were concluded with the republics and the inequality between the republics and regions was increased by reinforcing the special status of republics (DeBardeleben, p. 49; Lynn & Novikov, p. 199). The only thing that would make this acceptable for the regions was that similar agreements were made with them as well. After a short while, this demand was met, and the *oblasts* and *krais* also began to sign bilateral agreements with the federal government. The bilateral agreement with Orenburg Oblast in December 1995, right after the Parliamentary elections, was the first agreement made with a region¹²⁰. This was followed by bilateral agreements signed during and after the presidential campaign in 1996 (Filippov & Shvetsova, p. 73). Thus, this trend, which started with the bilateral agreement made between the Republic of Tatarstan and the federal government of Russia on February 15, 1994, took the form of 46 power sharing agreements and accompanying 260 special agreements, made with tens of federated units, also covering the regions outside the republics, by the end of the Yeltsin period (Sakwa, p. 261).

The important thing here was the results of these agreements. The provisions of *asymmetric federalism*, which were tried to be removed from official documents through the 1993 Constitution, became official again with these bilateral agreements signed by Moscow (Sakwa, p. 261). Not only that, new asymmetric provisions were added to the already existing asymmetry through these agreements, and the asymmetry inherent in Russian federalism was further deepened. During the preparation process of these agreements, separate negotiations were made with the representatives of each sub-unit, for which was approved to conclude an

¹²⁰ In this bilateral agreement, Orenburg Oblast was given the status of free economic zone. The region's tax obligations were reduced and the region gained financial control over some of the revenues from the production of its natural resources (as cited in Ross, p.42).

agreement by the federal authorities; and in these negotiations, it was tried to be agreed on what kind of power-sharing would be made between the center and the sub-unit that was the party of the negotiation. Ultimately, the issues agreed upon were incorporated as a provision into the text of the agreement that made separately with each sub-unit; thus, the temporary rights¹²¹ granted to separate regions to be valid until the end date of these agreements were determined. However, in accordance with the historical background of Russian federalism and the fact that the Russian Federation inherited this background, the capacity of the subunits to negotiate with the federal government was quite different from each other. As will be remembered, some subunits had stronger leverage and resources to negotiate with the federal center. Again, due to the same background, the needs of each sub-unit and the competencies they would like to have differed from each other. Therefore, each sub-unit have or could have made different claims during the negotiation process. This resulted them to endow with different powers in the final analysis, based on their capacity to influence the federal government, and the issues they were sensitive to, and thus sign special and individualized agreements that were unlike one another. To be more precise, these were customized agreements between federal government and federated units and were based entirely on *ad hoc* negotiations of the parties. According to Ross (2003), such a method had an outcome that legitimized the existence of federated units of different status within the same country: On the one hand, there were poor units that would remain dependent to Moscow and could not even be said to benefit from a genuine federalism. On the other hand, there were units that had a stronger hand against Moscow, who had benefited from the blessings of federalism and legitimized their autonomy. At the top, there were entities such as Tatarstan, which had tough leverages against federal government of Russia, and established a kind of a confederative relationship with Moscow, far beyond a federal relationship (p. 46). The fact that Moscow followed the road of signing special agreements that made each of these units different from each other illustrated that Moscow gave up its

¹²¹ Most agreements were valid for a period of two or five years (as cited in Ross, p.41).

claim to establish authority over the obstinate republics and regions. Thus, the Kremlin, contrary to what it wanted to do in 1993, was again and officially acknowledging that the subunits of Russia did not have equal rights. For instance, while some regions were privileged to pay no taxes to the center, some units were obliged to send 60 percent of their tax revenues to Moscow (Filippov & Shvetsova, pp. 61-62). This meant both a complete surrender to *asymmetric federalism*, which had been strived for a few years to be reduced but could not be dampen especially because of the resistance of the republics, and a deviation from the principle of constitutional equality. So it can be summed up as follows that, “it continues the earlier approach of *ad hoc* federalism, in which special agreements are concluded on an individual basis with specific units of the federation” (DeBardeleben, p. 48), and which resulted with the legal come back of “asymmetrical federalism, with some of the ‘equal’ members of the federation enjoying distinctive privileges” (DeBardeleben, p. 48). Another aspect of the issue was that these agreements were not shared with the public, and the negotiations between the federal government and subunits were usually carried out behind closed doors (Sakwa, p. 261). The smoke-filled rooms of Moscow seemed to be evidence of the suspension of also the principle of political transparency and openness, which was considered very vital for a federation, along with constitutional equality (Lynn & Novikov, p. 200).

2.2 PUTIN ERA (1999-...)

Asymmetric federalism existed as a notorious concept in Russia, due to its chaotic history based first on the Soviets and then on Yeltsin’s rivalry with Gorbachev (Burgess, p. 46). Most of those who called this concept notorious were worried that as long as this troubled legacy was carried on, Russia would disintegrate like the Soviet Union. It is because for many Russians, this era represented “a period of chronic instability in which the territorial integrity of the state was threatened” (Burgess, pp. 46-47). Vladimir Putin, who got behind the wheel in 1999 to rule Russia after Yeltsin, was also close to this view. That was why Putin kept her distance from the idea of asymmetric federation and dedicated himself to reforms that would erode this problematical inheritance, specifically in

the early years of his tenure. While preparing the draft of the new constitution, Yeltsin particularly emphasized the principles of guaranteeing human rights in every region of Russia, including the republics, ensuring the unity of Russia, and the non-contradiction of the republic constitutions with the provisions of the Russian Constitution (as cited in Sakwa, pp.248-249). However, it was not possible to say that these have been achieved due to various constraints. It was up to Putin to re-allege them. In doing so, however, it remained a mystery whether a more effective and harmonious federal model had been built, which based on the constitution, equal citizenship and law and removed the old inequalities, or whether a more authoritarian order was aimed, where power was consolidated at the center and the authority of the center was imposed on stubborn units. Although, it was claimed that the first was targeted, it was a frequently discussed issue in the literature that what ultimately emerged converges more to the second and that Putin resorted to coercive and anti-democratic measures to hold the federation together (Burgess, p. 49).

2.2.1 Putin's War against 'Segmented Regionalism'

According to some researchers such as Hughes, bilateral agreements and other practices of asymmetric federalism up to date appeared to be the phenomenon that actually kept Russia alive and prevented it from dissolving, by making it responsive to separatist and regionalized challenges or differentiated local needs (as cited in Ross, pp.45-46). Pursuant to them, even such contested federal regulations and the resulting flawed Russian federalism helped suppress nationalism and separatist demands in the republics. In particular, the bilateral agreements, even though they contained phrases contrary to the 1993 Constitution, weakened radical nationalist movements¹²² and enabled regions¹²³ to abandon secessionist demands and turn to negotiations: Regions that saw channels of reconciliation opening up for them turned to sensible demands seeking more legal, political and economic

¹²² For example, the radical nationalist movement in Tatarstan, which had been fairly strong, literally fell apart after the signing of the treaty between Moscow and Kazan in 1994 (Ross, p. 54).

¹²³ In this chapter, this expression is used with reference to all sub-units in Russia.

sovereignty for themselves, rather than radical demands that could cost them dearly (Ross, p. 54). This meant a more peaceful and democratic phase in center-periphery relations (Lynn & Novikov, p. 200). According to the authors who defended this idea, the ‘parade of sovereignties’ could only be appeased in this way, and the asymmetrical practices applied until the end of the Yeltsin period succeeded this.

However, people like Ross and Sakwa were not on the same page. According to Ross (2003), this habit was weakening Russia’s constitutional order and undermining the authority of the Russian Constitution¹²⁴ (p. 46). Sakwa (2008), on the other hand, clarified the issue by presenting another conceptual approach: The federalism of Yeltsin period, which has been described at length above, caused a problem that Sakwa called ‘segmented regionalism’ in the following years. Such a definition was quite appropriate in terms of providing a conceptual framework for the situation in post-Soviet Russia. Simply, “segmented regionalism was characterized by the erosion of constitutional principles of a single legal and economic space” (Sakwa, p. 255) and referred to “a process which fragmented the country, juridically, economically and, implicitly, in terms of sovereignty” (as cited in Ross, p.61). But the question was that how did this erosion happen? The answer to this question was undoubtedly hidden in a decade of chaos, starting from the dissolution of the Soviet Union in late 1991 and ended with Putin’s rule in early 2000.

As detailed above, in this period of chaos, Russia made many concessions, especially to the republics, in order to preserve its unity. The reason for this was that the regional separatism and sovereignty storm that started to blow during the Soviet Union period continued at the same speed after the establishment of the Russian Federation. By means of these concessions, the storm in question was wanted to be stilled. However, these concessions did not satisfy some republics to stay with Russia, and the crisis of ethnic separatism grew worse. The unstable and complex division of power between federal center and regions fell short of resolving crises, moreover this chaotic situation led further exploiting of legal

¹²⁴ See 2.3.8 for details.

loopholes. This meant that the young Russian Federation, which was trying to recover in the aftermath of the Soviets, entered into an intense political struggle in the Russian heartland regions such as Tatarstan and Bashkortostan, and natural resource-rich peripheries such as Yakutia and Khakassia. This political struggle was centered on increasing claims to sovereignty, previous to the legal and economic demands of the regions concerned. But worse than that, this struggle was armed in the North Caucasus and in 1994 caused a devastating war between Russia and Chechen Republic. All this, in view of the economic problems and political crises mentioned in the previous paragraphs, greatly weakened the Russian State under Yeltsin.

Taking advantage of this weakness, the regional authorities, notably some republics, developed political regimes that show a high degree of diversity in their fields of activity (Sakwa, p. 255), and implemented policies by having a mind of its own. In such an environment, the regional executives, who were greatly strengthened by the wide range of action that asymmetric federalism opened up before them, and who were little restricted by the weakened regional councils in line with the executive's victory over the legislature throughout the country, have undermined the human rights norms, individual rights and freedoms, legal standards and the understanding of the national market as imposed by the constitution and federal laws as much as possible, did not heed the presidential decrees and government directives, imposed their own laws instead of federal laws, and tried to keep control entirely in their own hands (Sakwa, p. 255). More precisely, to take advantage of such a period of chaos, they adopted local laws to increase their *de facto* sovereignty and thus attempted to create another legal space that began to be far outside the one established by the federal center (Sakwa, p. 259). In this context, the constitutions of the republics and the charters of the regions frequently made provisions that contradict the federal constitution and laws, and this caused in serious differences between regional governments during the 1990s. Yes, the differences between regions are a requirement of an asymmetric federation and can be considered natural in this respect, however, the situation here has become far beyond difference. What happens here was that the regimes,

governmental systems, and especially the legal and juridical orders adopted by the regions were diversified as if they are not within the same country, and the fact that the regional governments became independent as if they were not subject to the same federal laws. For example, while some regions were governed in relatively democratic ways, some regions became authoritarian or even feudal administrations ruled by purely certain individuals (Sakwa, p. 256). Likewise, a diversity with high level of significance emerged between the regions in terms of the election methods of legislatures and their powers (Sakwa, p. 256). Therewithal, the scale of incompatibility of the laws they have was also quite wide, the actions that are made impossible by the laws of some regions were quite usual in the legal order of some other regions. Regions were not satisfied with these, and also undertook as a duty on matters that were constitutionally outside their jurisdiction and attempted to make decisions on these issues.

This is an indication that by taking advantage of the existing weakness of the center, the presidents of the republics and the governors of the regions were focusing on gaining more power and sovereignty, which from time to time had reached a level that threatens the survival of the Russian State (Sakwa, p. 256). So much so that even the army became heavily dependent on the regional authorities and thus moved away from its capacity to ensure the unity of the union (Sakwa, p. 260). At the end of this whole process, the federal center became in the form, which it cannot control the branches of some ministries and other state institutions in the regions that are very vital to it, such as the Ministry of Internal Affairs (MVD), which it cannot prevent the local units of such vital institutions from falling into the hands of the president of the republics or the governors of the regions, and which it had become unable to even object to the violation of the most basic human rights in the regions (Sakwa, p. 260). Ultimately, Yeltsin-era Russia became a state containing other states rather than a multinational state (Sakwa, p. 281) and took the image of a confederation rather than a federation (as cited in Ross, p.61). In Sakwa's words, there seemed to be 90 different governments in the country, reminiscent of the chaos and conflict in medieval Europe (Sakwa, pp. 281-282). Smith also agreed with this standpoint and stated that the 'regional states' in Russia

went so far as to have the characteristics of any nation-state (as cited in Ross, p.61). Similarly, Lapidus says that while she thinks that ‘a healthy dose of decentralization is important for political democratization’, Russia has exceeded this dose and ‘now faces an uncontrolled disintegration of a central power’ (Lapidus, 1999, p. 76). By the end of the day, this was what created “a type of segmented regionalism”, “instead of an effectively integrated federal system” (Sakwa, p. 256), and this had taken Russian politics captive in the chaotic process that followed the collapse of the Soviets in the last days of 1991. By the mid-1990s, the federal center of gravity had shifted substantially to the regions and regional policies were completely under the control of the regional elites (Ross, p. 61). This excessive decentralization and segmentation had done great damaged Russian federalism, which was tried to be based on certain principles, by establishing personal feudal lordships, mini-dictatorships and regional authoritarian regimes, where human rights and freedoms were violated; and ultimately led to the discussion in the political science literature of the issue of whether the state that established is a genuine federation or not.

If it comes to the practical reflections of segmented regionalism, a few subtitles can be given easily based on Sakwa’s categorization. These sub-headings will also enable the reproduction of the examples given above, thus, it will make the subject easier to understand. According to Sakwa’s classification (Sakwa, pp. 260-266), the *first* of these subheadings was the incompatibility between the constitutions and charters of the subunits and the Constitution of the Russian Federation and federal laws. Per to the information given by Sakwa, “by the late 1990s at least 50 of the 89 local constitutions and charters contradicted the federal one, while a third of local legislation violated in one way or another federal legislation” (p. 260). The information provided by Ross (2003) is also in line with this: As quoted by Ross, “the constitutions of 19 of Russia’s 21 republics (except Kalmykia and Karelia) violate the Federal Constitution” (as cited in Ross, p.60). Ross (2003) defines this situation as “legal separatism” and states that the republics and regions that were getting harder to leave Russia day by day, found it more realistic to move away from the orbit of Moscow at least legally (pp. 60-61). In particular, the constitutions of the Republics of Tatarstan and Bashkortostan were

the most striking examples that can be given in this regard; because these constitutions contradicted first and foremost with the principle of equality of units and then other provisions of the 1993 Constitution, as they claimed that the aforementioned republics have privileges that other regions do not have and that the federal constitution does not explicitly allow (Sakwa, p. 260). For instance, according to the Bashkir Constitution, the Republic of Bashkortostan, a sovereign republic, could participate in international alliances and organizations and make international agreements¹²⁵ (Sakwa, p. 272). Whereas, the Federal Constitution does not grant such authority to any subunit. If it looked further, it can be seen that the some republic constitutions unilaterally gave some issues to the sole jurisdiction of these republics, such as domestic and foreign policy making¹²⁶, citizenship¹²⁷, determination of laws on military service¹²⁸, declaration of a state of emergency within their borders¹²⁹, and ownership and use of land and mines¹³⁰, which these were just a few of the many articles that override the exclusive jurisdictions of the federal government and the joint jurisdictions of the federal center and federated units, determined by the Federal Constitution¹³¹. These constitutions did not only contain articles that contradict the provisions of the Federal Constitution, but also contained articles that deny the authority of the Federal Constitution¹³², such as those declare that the constitutions of the republics are superior to the Russian Constitution and that their relations with Moscow are rather confederative¹³³. Similarly, some republican constitutions contained articles stating that the unit in question voluntarily joined the federation, has sovereignty and right to self-

¹²⁵ Same authority existed also in the constitutions of other republics, see also constitutions of Chechnya, Dagestan, Ingushetia, Sakha and Tatarstan (as cited in Ross, p.37).

¹²⁶ I.e. Article 1 of Bashkortostan's constitution.

¹²⁷ See constitution of Tatarstan.

¹²⁸ See constitution of Tuva.

¹²⁹ See constitutions of Buryatia, Komi, Kalmykia, Karelia, North Ossetia and Ingushetia (Ross, p. 37).

¹³⁰ See constitutions of all republics except Komi and Karelia.

¹³¹ See section 2.3.8 for details.

¹³² These kind of clauses in republic constitutions mostly contradicted with the Article 4/2 and 15/1 of the RF Constitution.

¹³³ See constitutions of Tatarstan, Bashkortostan, Sakha, Tuva, Komi, Dagestan, Ingushetia and Buryatia (Ross, pp. 35-37).

determination and can secede from the union if it wishes¹³⁴. Such articles, besides colliding with many principles of the Federal Constitution, such as equality of units, was act incongruously with the Federal Constitution by also damaging the principle of the sovereignty of Moscow¹³⁵. In addition, some region's constitutions and charters, directly conflicted with the provisions of the RF Constitution, also in terms of violating fundamental human rights norms and citizens' rights, which are matters tried to be taken under guarantee by the Federal Constitution (Ross, p. 61). For example, some republican and regional laws prioritized the ethnic group that gave its name to that republic or region, and stipulated the precondition of being a member of that ethnic group or at least knowing its language in order to take important positions in the administration of the region; and so as it was clearly a violation of human rights, it was also against the 1993 Constitution, which includes the provision of equality of all RF citizens¹³⁶.

The *second*, which is in line with the first one, was the matter of segmentation of the political, economic and legal space. In this context, what created the political and economic segmentation was the political and economic agreements done between the highly strengthened subunits, as if each were an independent state and there was no government binding them in Moscow, which are problematic both by not obtaining the approval of the federal center and by conflicting with federal laws (Sakwa, p. 260). Another issue that underlies the political and economic segmentation was that the authorities of the federated units -who moved away from Moscow as far as possible by taking advantage of power-gap-creating factors, such as the political conflict between the legislative and executive powers in Moscow, the weak institutional structure of Russian federalism, and the absence of a final legal arrangement governing federal relations-

¹³⁴ See constitutions of Chechnya, Tatarstan, Sakha, Tuva, Bashkortostan, North Ossetia and Buryatia (Ross, pp. 35-37).

¹³⁵ This referred in the Articles 4/1 and 4/3 of the RF Constitution.

¹³⁶ According to the Bashkir Constitution, despite the large Russian and Tatar population in the republic, the president of the Republic of Bashkortostan must know Bashkir language. Such an article violated the principle of the equality of individuals in the Russian Constitution and was directly incompatible with the federal constitution, since it shows that Russians and Tatars living in the republic cannot be president unless they know Bashkir (Sakwa, p. 272). See also Komi's constitution for further example.

to develop completely different political systems (parliamentary vs presidential or democratic vs authoritarian) and economic models (liberal vs closed) from the center and from each other. More important than that was the segmentation of the legal space. “According to an analysis by the Ministry of Justice, of the 44,000 regional acts adopted over the period 1995–97 almost half were in violation of the Russian Constitution and federal legislation” (as cited in Ross, p.60) and according to Putin’s own statements, “a fifth of the legal acts adopted in the regions contradict the country’s Basic Law” (as cited in Ross, pp.138-139). While this situation shows that federal laws were not so taken into consideration during the legal arrangements made in the regions, it clearly pointed to a legal authority gap¹³⁷. Another issue that causes the segmentation of the legal space was that the simultaneous existence of many legal sources, which were completely contradicting with each other on federal issues, within the same country. As addressed, there were five different sources (Federal Treaty, Federal Constitution, federal laws, constitutions and charters of federated entities, and bilateral treaties) regulating federal relations in the *Russkaya strana*, and these sources often had confronting and contrasting provisions (Ross, pp. 173-174).

The *third* was the negativities created by the bilateral treaties. First of all, the signing of these treaties was a clear departure from the spirit and principles of 1993, which wanted to impose the claim that the Russian Federation was a ‘constitutional federation’ and therefore did not include the Federal Treaty in the constitution. Because, the need for such treaties on top of the existing constitution for the realization of power sharing implies that it was accepted that the constitutional provisions were insufficient in determining the power-sharing and this inadequacy would be eliminated by the provisions determined in bilateral treaties. This greatly undermined the claim that the Russian Federation is a ‘constitutional federation’, as stated in the 1993 Constitution, and revealed that, at least after the signing of these agreements, what actually existed was a *treaty-based*

¹³⁷ Looking at all this, it is possible to mention the nationwide lack of a mechanism that would force federal subunits to comply with the decisions of federal high courts as a legal authority, including the Constitutional Court, and the existence of such a mechanism constitutes one of the most important pillars of the federations (as cited in Sakwa, p.260).

federation (Sakwa, p. 260). In addition, there was another aspect that makes these treaties significant in terms of segmented regionalism: This was the fact that, some of the important powers, which left solely to the jurisdiction of federal center or to the joint jurisdiction of the federal center and federated units under the 1993 Constitution, such as foreign policy, tax system, budget, determination of foreign trade policy and ownership of natural resources, were left to the exclusive jurisdiction of the federated units that were party to the agreement in some of these treaties. For example, the treaty with the Republic of Tatarstan was one of the most striking in terms of leaving many privileges to the jurisdiction of Tatarstan that a republic according to the Federal Constitution could not have, such as ownership of profitable industries and tax concessions. This pointed to the complexity of Russian federalism by coming to mean that many of the bilateral treaties directly coincided with the Federal Constitution and federal laws¹³⁸.

The *fourth* dealt entirely with the incompatibilities regarding the economy, and focused on the problematic of the failure to create a national market in the country due to the economic segmentation of federal subunits, and thus the deterioration of fiscal federalism. The 1990s represented the years when the Russian economy received shock therapy and transformed from a socialist economic system to a market economy. However, the same period stood out as a period in which Russia's sub-units economically diverged from each other and became independent from the center. In these transformation years, the sub-units that had raw materials, energy resources, and industrial facilities that inherited from the Soviets to produce finished products, or that host the cities that were the gateway to the world economy of Russia, differentiated significantly from the regions that deprived of these and generally strived to live with agricultural production (Sakwa, p. 264). This situation caused great differences to occur between the added values produced by the regions over time; and consequently, the capacity of resource-rich regions to negotiate with the federal center has increased incomparably with the others (Sakwa, p. 264). Accordingly, significant differences have begun to occur in

¹³⁸ See section 2.3.8.

terms of the taxes paid by these regions to the federal center and the cash flow they provided from the federal center. So much so that while some regions could provide almost no cash flow from the federal center, some regions have received large shares from the federal budget. Alike, while some regions transferred most of their tax revenues to the federal center, some regions such as Tatarstan¹³⁹ have transferred its revenues in much lower rates to the central budget, also with the contribution of bilateral treaties it made with the federal center¹⁴⁰ (Sakwa, p. 263).

No matter what, the regions ultimately have begun to experience a different life both economically and socially. The differentiation described so far is an ordinary process that any country that switches to a market economy can experience. However, it is not possible to say that Russia's transition to the market economy has been successful, at least at the regional level. The reason for this is that the national market, one of the most important requirements of the capitalist economy, could not be established in Russia in a healthy way. Thus, the differentiation between regions in Russia has been severer than any country that has adapting to the market economy. As Sakwa (2008) quotes, the transition period in Russia was viewed as a slow reform phase in which the opportunities created by this period could be exploited rather than a rapid transformation process in which economic reforms were implemented on a national basis (pp. 264-265). In this context, some regional leaders, who suddenly found the wealthy assets left by the Soviets in their hands, began to prioritize their own political and economic interests, pursued an independent economic policy by building an economic autarchy in their regions and strengthened their political separatism claims (Sakwa, pp. 264-265). Within this framework, they rejected the interference of the federal center in the financial functioning of the regions, imposed restrictions on the prices and trade of

¹³⁹ "In 1992 Tatarstan paid only 93 million rubles in taxes but the republic received 38 billion rubles from the federal treasury ... – more than went to a dozen central provinces with a total population several times that of Tatarstan" (as cited in Ross, p.87).

¹⁴⁰ Some researchers led by Treisman have asserted that such *fiscal asymmetry* can only be explained by political reasons, and argued that such privileges were a form of bribery given in exchange for loyalty to resource-rich regions that hell-bent on causing trouble. According to this logic, rebel regional leaders with strong hand were rewarded, not regions that were already loyal (Sakwa, p. 263). See 2.3.3 for details.

certain goods and services on the basis of the regions contrary to national market understanding; and stopped transferring the tax revenues, which they were obliged to deliver to the federal center, to the central budget¹⁴¹ (Sakwa, p. 265). Thus, they tried to keep the cash flow and market in the region completely under their control. They have assumed the identity of economically independent unit rather than acting as parts of a national market (Sakwa, p. 265). Lapidus (1999) calls this as “economic regionalism”: After bilateral agreements were made with many regions, the regions that were politically satisfied started to create economic cleavages. In particular, the 1998 economic crisis, sharpened these cleavages as it forced the regions to be more self-sufficient and caused the regions to increase their control over many economic resources by taking a number of illegal preventive measures (pp. 77-81). Ross (2003) also defines this as “economic separatism” (pp. 61-62); however, pursuant to him, the source of this should be sought in the past: According to him, the disappearance of the Soviet central planning system and the seventy years of central coordination, gave the regions an opportunity to withdraw into themselves and prioritize their own interests. As a result, the economic interaction and trade between the regions has declined drastically and Russia has started to become a community of economically closed regional markets. Some regions and republics, taking advantage of the existing weakness in the center, enacted their own economic laws against the Russian constitution, did not share their taxes with the center, and even did not implement the requirements of capitalist economic reform in their regions¹⁴². Likewise, in violation of Article 74 of the Federal Constitution, some had imposed their own import and sales taxes on certain products, prohibited the export of certain goods, and set their own prices for those merchandises. This created “barriers to the free circulation of capital, goods and services” (Ross, pp. 61-62).

¹⁴¹ “Over the period 1992–95 Tatarstan, Bashkortostan and Sakha practically stopped transferring payments from taxes to the center” and “over the period 1995–98 all three republics continued to be granted much higher tax credits than the Russian Federation average” (Ross, p. 87).

¹⁴² For example, some republics refused to enforce laws on land privatization; others unilaterally took over their land and natural resources into their administrations.

In addition, regions have established interregional economic partnerships that cover many sub-units that are close to each other historically, geographically and economically, strengthened their representation against the federal government through these giant structures and expressed their demands more easily. So much so that the stronger ones¹⁴³ started to question the domination of Moscow over the regions by emphasizing the notion of decolonization; and by demanding greater rights over its rich natural resources, they demanded free trade of these resources without being dependent on Moscow. Ultimately, they increased their tax concessions captured from the center in return for this rising leverage power, and they were differentiated even more from the disadvantaged regions that had to stick to the center. So much so that some of them have reached the level to develop economic relations with foreign countries and had signed commercial agreements independent of Moscow by holding commercial attaché in these countries as if they were an independent state (Ross, pp. 62-63). All this prevented the establishment of the national market, contrary to the spirit of the capitalist economy. At the same time, it contributed to the differentiation of resource-rich regions from other regions in the first analysis, and to their convergence to economic independence in the last analysis. Once for all, the final picture of an extremely regionalized economic segmentation did not even allow Russia to function as a healthy asymmetric federation.

Finally, the *fifth* is about the fact that some sub-units of Russia acted as an independent actor in international relations and from time to time they had a foreign policy line separate from Moscow. This situation generally manifested itself in two ways: Russia's subunits either challenged Moscow's monopoly of determining foreign policy by making economic and trade agreements with foreign countries, or tried to make the specified foreign policy develop in favor of their interests and needs by putting pressure on Moscow (Sakwa, p. 265). In accordance with the first method, "in 1991–5 alone, Russian regions signed over three hundred agreements on trade, economic and humanitarian cooperation with foreign countries" (Sakwa,

¹⁴³ I.e. The Siberian Accord, established to cover close to twenty subunits in Western and Eastern Siberia.

p. 265). The second was the veto power that the regions occasionally applied on the decisions taken from the center through the Federation Council. In this context, Tatarstan's attitude in the Kosovo War was a very good example within the scope of this thesis: Mintimer Shaimiev, the President of Tatarstan of the time, had made it clear that Russian nationalists should not send volunteers to the help of Serbs, otherwise he will send Tatar volunteers to help Muslim Kosovars (Sakwa, p. 266). Such a challenge has been impressive as it reminded federal decision-makers that there are millions of Muslims living in Russia and that Russian foreign policy cannot be applied on an ethnic or religious basis (as cited in Sakwa, p. 266). Such oppositions had soon become part of Russian foreign policy making (Sakwa, p. 266). However, this situation led to excessive regionalization of Russian foreign policy in the eyes of Kremlin, and prompted Moscow to integrate foreign policy and regulate the federal decision-making process.

In short, segmented regionalism, which can be defined by differentiated legal, economic and political space and incompatible laws, charters, statutes and treaties, made it impossible for Russia to have a properly functioning federative system in the past decade following the collapse of the Soviets, and thus harmed the state building. During this time, the aforementioned maladjustment and vagueness were exploited by republican and regional leaders as much as possible, but the federal government turned a blind eye to it for political reasons (Sakwa, p. 266). This situation further exacerbated the damage and led to the emergence of a federation in which it is controversial whether it can implement the principles of federalism.

2.2.2. Reforms for 'Centralization'

The Putin era can be summarized briefly as a war waged against segmented regionalism in which several steps were taken to reverse this situation in domestic politics. Putin interpreted such a high degree of autonomy of the regions and the decentralization that had to be maintained in the Yeltsin period as a danger to the long-term integrity of the country; and took a different stance from Yeltsin in regional politics. As can be understood from the section up to here, during the

Yeltsin period federal relations were built on the urgent policies that were created to meet the urgent needs of the president (Sakwa, p. 260). In this context, Yeltsin has never hesitated to manage regional relations through personal connections and concessions (Sakwa, p. 256). For example, he did not think twice about signing the Federal Treaty during his rivalry with the legislature, and signing bilateral treaties before the elections, which he saw his future in danger. Besides, at least until the days of the regional elections, he approached the presidents and governors of regions temperately despite their extremisms; and supported them against the legislative bodies of the regions. All this, as Sakwa (2008) points out, has resulted in a lack of truly transparent, concurrent and, in my opinion, definite and stable relations between the center and the periphery in Russia throughout Yeltsin's rule, which is one of Yeltsin's biggest failures (p. 260). Another reason why Yeltsin pursued such a generous policy towards the regions was the issue of regional secessionism. The 'Yeltsin-style regional bargaining' (Sakwa, 2008) policy gave regions and republics unlimited freedom of movement and 'distinctive privileges' in exchange for not attempting to secede and remaining loyal to the Kremlin; thus regional leaders have been satisfied and restrained by being empowered through being granted 'relative independence'. This situation, as it can be recalled from the very first chapter of this thesis, reminds the Ottoman Empire's style of administration. Just as the Ottomans implemented to non-Muslims throughout the empire in accordance with the logic of the *millet* system and to local elements in Bilad al-Sham; during the Yeltsin period, in return for their loyalty to Moscow, some local groups were granted local privileges and these groups were separated from the people of the rest of the country (Sakwa, pp. 266-267). However, the time was not the age of empires, and this approach precluded the development of civil society, individual rights, the concept of citizenship, and minorities by prioritizing group-specific rights, and separating individuals only because of their affiliation to a group (Sakwa, pp. 266-267). All this had bear no other result than the exploitation of these rights by the regional leaders, the manipulation of regional elections, and regional elites' to establish their own authoritarian feudal lordship in Russia's subunits by consolidating their powers (Sakwa, p. 266). So much so that for some

republics and regions, sovereignty had come to be perceived as the federal center having no interference in their internal affairs and areas of economic autonomy, indicating that federalism was practiced as a fragmentation of political authority rather than a real power-sharing (Sakwa, p. 205). As Ross summarized (p. 157), during the Yeltsin period, certain violations of the Russian Constitution by regional leaders were tolerated in exchange for ensuring ethnic stability, regular transmission of taxes to the center and the necessary support during the elections. This situation had led to an increase in authoritarianism at the local level, and has hampered the rooting of human rights and citizenship concepts throughout the country.

According to Putin, this system, implemented until the early 2000s, was a reflection of an unacceptable anarchy and ethnic turmoil, and a radical revision of the federal system was necessary to put an end for this (Ross, pp. 138-139). Contrary to Yeltsin, Putin encouraged the enactment of new regional charters and written laws that would synchronize regional legislation with the Russian Constitution regarding the administration of regions. Thus, the habit of advancing regional politics through individuals was tried to be terminated; laws that are embedded in the regional constitutions or charters and that do not contradict with the federal laws have been tried to be made essential (Sakwa, p. 256). In this way, it was primarily aimed to minimize the influence of regional leaders and other local authorities on national politics and their high effectiveness in the regions that had become “bases of power separate from the center and the president” (Sakwa, pp. 257-258). According to Putin, the anarchic power of the regional governors, majority of whom were elected by Yeltsin’s last years¹⁴⁴ and became stronger because they could not be dismissed by the federal center for this legitimacy, and of the presently powerful elected republic presidents should be restrained. In other words, unlike Yeltsin, Putin sought to slow down regional leaders by weakening them. Accordingly, the aim was to prevent powerful regional actors from enacting arbitrary legislation that violated the Constitution of the Russian Federation. The

¹⁴⁴ In the past, governors were appointed by the president, and Putin will return to this system again, see below.

pre-existing arbitrary legislations and the wide powers enjoyed by the regional actors due to these legislations were tried to be removed due to their incompatibility with federal laws and the Constitution. The goal here was to create a “single legal space” (Sakwa, p. 259) throughout Russia and to ensure that the legal arrangements in the country placed on a uniform basis. In this way, both new borders were drawn on regional actors, and efforts were made to make the constitutions and charters of the regions same with each other and with the Federal Constitution, by removing the expressions that were contrary to the Federal Constitution in these constitutions and charters¹⁴⁵. Through the standardization of federal provisions, it could be ensured that every citizen has the same rights, regardless of whether they are in Moscow or the furthest corner of Russia (as cited in Ross, p.138-139). As such, the goal was clearly to bring the regions as close to the center as possible, to minimize the extraordinary legal and administrative diversity between them, and to restrain the overpowered regional actors. To put it more clearly, it was the reestablishment of central authority, restriction of the regionalism and claiming of the “integrity of sovereignty” (Sakwa, p. 255) by the federal center. By doing so, regional economic protectionism and “economic autarchy” (as cited in Ross, p.61) would also be prevented.

Within this context, these steps can also be read as a centralization attempt, or as a search for a more balanced model than asymmetric federalism. Gelman (2008) preferred the first and called the whole reform process as a “new centralism” (p. 2). Sakwa (2008) was on the same page with Gelman: These steps, this time not by creating an overdose of segmentation, but by reviving traditional centralization in Russia on the contrary, have once again damaged Russian federalism and democracy (p. 255). In this context, the Russian Federation has not get rid of being the subjects of debates in the literature on federalism and, moreover, got stuck on this issue even more. As Sakwa (2008) points out, at the end of the day, Russian federalism was caught between two options, a segmented regionalism and a federalism that is as centralized and concentrated as possible (p. 255); thus,

¹⁴⁵ That is why Putin emphasized the need for an independent federal judiciary to exercise comprehensive control over the regions (as cited in Sakwa, p. 267).

considering that what is called federalism is the sharing of the sovereignty and powers of a state through constitutional channels by finding a way agreed by the central government and the surrounding national subunits, it had fallen far from what it should be.

Well, how did Putin try to achieve this goal? Unlike other researchers, according to Gelman (pp. 3-8), the 1998 economic crisis was a turning point at this point: The crisis, by showing the public how vital it is to establish a solid foundation of center-periphery relations, provoked a backlash among federal elites against the decentralization in the 1990s and subsequently led to a demand for centralization. Likewise, according to Kempton (2001), the elites in the federal center, who lost the financial resources that enabled them to control federated entities due to this crisis, felt the need for political centralization (p. 210). Ross (2003) also expressed a close view to this and said that during the days Putin took office, there was a consensus that a ‘power-vertical’ and ‘single legal space’ should be established in Russia (p. 139). Putin, who had received great support in the 1999-2000 elections, made use of this opportunity and initiated a series of reforms for this (Kempton, p. 210). In this respect, it is essential to mention at least a few ‘reforms’ that are within the scope of this thesis and which directly lead to changes in the federal structure of the Russian Federation.

The *first* of these are the huge ‘federal districts’ established by presidential decree in May 2000. According to this decree, Russia was divided into seven mega-administrative districts and it was decided that these districts would be governed by a *polpredy*¹⁴⁶ appointed by the president (Gel'man, p. 10). Pursuant to the same decree, presidential envoys incurred duties and responsibilities such as organizing the functioning of federal bodies in the regions-particularly law enforcement bodies, ensuring that federal policies, constitutional and federal laws and presidential decrees are implemented in the regions, coordinating social and economic policies, reporting developments in the regions to the federal center, and providing opinions and recommendations to the federal government (Sakwa, p.

¹⁴⁶ A “plenipotentiary representative” (Gelman, p.10; Ross, p.140), or a “presidential envoy” (Sakwa, p. 267).

268); and accordingly they were endowed with very strong authorities (Ross, p. 142). However, with this reform, Russia's well-known ethnic and territorial regions were not abolished, only an additional administrative unit was added between the regions and the federal center (Sakwa, p. 267). Even if this situation seemed not to have changed much in the federal structure of Russia, it reduced the importance and effectiveness of the federal subunits due to the creation of more effective units that the center would prefer to communicate directly (Sakwa, p. 267). In addition, owing to the direct subordination of presidential envoys to the president, it created a political environment where the instructions and directives from the federal center could be applied directly in the aforementioned districts, and aimed to create a 'power vertical' or 'executive vertical' in Sakwa's words (2008), descending from the center to the following districts below (p. 267). When considered from this point of view, this goal has largely been achieved and the usual federal functioning between the center and the regions has been changed with the formation of federal districts: Presidential envoys, which did not officially have any governing duties and were only tasked with monitoring and supervising the functioning of federal institutions in their area of jurisdictions, did not actually work as such; in practice, by made it difficult for regional states to take over by regional leaders, they prevented any steps of regional leaders to become a national actor (Sakwa, pp. 269-270) and tried to eliminate the habit of federal institutions to be controlled by the regional leaders (Gel'man, p. 10). Within this context, the actions of the regional leaders were restrained by the presidential officers of the federal districts, thus their separatist attitude was blocked (Sakwa, p. 269). This meant a change in usual federal bargaining practices (Sakwa, p. 269). Ultimately, the federative system has turned into a form that consisted of three layers¹⁴⁷ (as cited in Ross, p.145), and the hierarchy already embedded in Russia's federative structure has risen substantially¹⁴⁸. Considering the federative debates mentioned earlier within the scope of this thesis, it is not surprising that such a structure has been implemented.

¹⁴⁷ From the bottom-up, regions, federal districts, and the federal government.

¹⁴⁸ In addition to the existing hierarchy in between subunits, the addition of new administrative units between sub-units and the federal center, see 2.3.4 for details.

In this context the first thing that should be remembered is the *guberniya* structure immanent in Tsarism. Putin's new administrative structure evokes the octal *guberniya* structure established by Peter the Great in 1708, as mentioned in the very first chapter of the thesis (Sakwa, p. 267). Considering that the vast Russian lands were divided into gigantic administrative parts in accordance with this structure and that a general governor was appointed to head these parts, it is seen that this new structure established by Putin resembled to Petro's system in both respects and adopted this old tradition (Sakwa, p. 269). Afterwards, Stalin's 'autonomisation plan' should be remembered. Ultimately, the constitutional draft on October 1991 and the approach of Russian nationalists towards the revitalization of *guberniyas* should be remembered. In addition to that, when it is considered that the former President Yeltsin justified a federal structure that divided Russia into 8 to 10 governmental divisions in the early debates of the constitutional draft, it is easily understood that Putin, who is a great admirer of Peter the Great, was trying to carry out an idea that expresses continuity in the history of Russian federalism.

The *second* of Putin's reforms concerned the dismissal of regional leaders and the abolition of regional parliaments. According to the affirmed draft by Duma in July 2000, the president was empowered to dismiss elected governors who violated federal laws and presidential decrees, or to dissolve parliaments that enact laws that contradict federal laws (Ross, p. 147). Although this innovation did not directly affect the federal structure, it is important for understanding Putin's new federalism as it posed a direct threat to the regional elites (Gel'man, p. 11). Thus, the understanding of 'strong region' embedded in Russia's federal structure was clearly challenged and the high effectiveness of regional leaders in federal politics was curbed.

Putin, who was not satisfied with these reforms, made the *third* reform that would particularly weaken the republics. Thereafter, based on a Constitutional Court decision delivered in the same month, the sovereignty of Russia's republics was found to be unconstitutional (as cited in Ross, p.148). The Court held that the Federal Constitution did not recognize any sovereign over Russia other than the Russian Federation, and therefore Russia's republics could not have any

sovereignty (as cited in Ross, p. 148). In addition, the sovereignty of the republics of Russia was found to be against the principle of equality of the constitution, and the claim of sovereignty by the republics was found unfair in a situation where the other regions are deprived of such a sovereignty. From this date on, the sovereignty claims of the republics have remained legally groundless and have been deemed to be legally null and void. Thus, in Sakwa's words (2008), the boomerang began to return (p. 271), and the concessions that had to be made to the republics in the decade of chaos following the collapse of the Soviets began to be taken back one by one.

The reform, which will be considered as the *fourth* within the scope of this thesis, targeted one of the most vital of these concessions. As discussed in detail before, this is the problematic related to the incompatibility of the legal space and the resolution of this problem is one of the issues that Putin cared most. In this regard, with a law enacted in the summer of 1999, the principles regarding power-sharing between federal center and regions were determined; and it was stated that all federal and regional laws to be enacted from now on must comply with the Constitution of the Russian Federation, federal laws and regulations, and that the laws, regulations, statutes, legislations and agreements made before the effective date of this law needed to be synchronized with the aforementioned texts within a certain period of time (Sakwa, p. 271). In this way, the republican constitutions and regional charters, which were the product of the concessive Yeltsin period, were targeted and these were aimed to be synchronized with the Federal Constitution and federal laws. Thereby, it was targeted to establish a "single legal space" (Sakwa, p. 272) throughout the country, and efforts were made to eliminate laws that violate even the basic human rights in the regions and which from this aspect directly contradicted with the Russian Constitution. However, it was not so easy to do so and it was encountered that some of the stubborn regions resisted the idea (Ross, p. 149). Bashkortostan was the first among the regions that comes to mind (Sakwa, p. 260). The Bashkir government expressed its concern that the reform would resurrect traditional centralization in Russia and insisted on not to accord its constitution and laws that were quite contrary to the Federal Constitution and laws

(Sakwa, p. 272). Likewise, there were difficulties in synchronizing the laws of some republics such as Tatarstan, Sakha, North Ossetia, Kabardino-Balkaria and Komi with the federal norms (as cited in Sakwa, p.271). According to the information given by Ross (2003), republics of Tuva and Khakassia and Sverdlovsk Oblast could be added to these (p. 149). Although these units made new constitutions, charters and laws that were claimed to be synchronized with federal laws, it is impossible to say that these did not contain provisions contrary to the Federal Constitution and laws (Ross, p. 150). Within this context, it is absurd to assert that the aforementioned reform was successful. So much so that in a speech in 2006, Putin confided that the number of regions that entirely aligned their laws was only ten (as cited in Sakwa, p.272). Nevertheless, it is a fact that as a result of frequently enacted laws, decrees and done negotiations, some regions, including some republics famous for their stubbornness, have been persuaded and partially accorded their laws with the Federal Constitution and laws¹⁴⁹.

What was targeted as the *fifth* reform is the bilateral agreements, one of the most well-known symbols of the concessive Yeltsin period. From the very first days Putin took office, his point of view on these agreements has been known. According to him, this problem should be evaluated within the issue of incompatibility of the legal space. In this context, these agreements, like the constitutions of the republics and the charters of the regions, are frankly incompatible with the constitution and federal laws, and there should be no room for such legal incompatibility within a well-founded federation. So, these agreements should be terminated in one way or another, or reorganized in a way in accordance with the federal laws. After taking office Putin acted according to this point of view, and by realizing that his reform related with the incompatibility of legal space had begun to fail he established a commission in the summer of 2001 to examine the federal relations and, in particular, bilateral treaties (Ross, p. 151). This was perceived as an indication that Putin was determined to make his claim, which was related to the incompatibility created by the bilateral treaties, to be authenticated by an official institution.

¹⁴⁹ To give an example, major changes were made in the Constitution of the Republic of Tatarstan as a result of negotiations done with the republic (Sakwa, p. 272).

Thereon, some regions that were not so obstinate¹⁵⁰ gradually began to withdraw from treaties by themselves, and the number of these regions exceeded thirty in time (Sakwa, p. 273). However, the attitude of some resilient subunits such as Tatarstan, Bashkortostan and Sakha were not the same. These subunits did not want to renounce the vast privileges which they achieved through bilateral agreements such as the strong hand that they acquired on the energy resources of their regions and the concessions provided to them related the taxes (Sakwa, p. 273). However, the Kremlin was prepared for such a reaction. In response, in 2003, a law was enacted stating that the existing agreements had to be rearranged in a harmonized manner with the federal laws within two years, otherwise the agreements would discontinue at the end of two years (Sakwa, p. 273). Complying with such a regulation for the regions would mean renouncing all privileges acquired so far. Therefore, this regulation was not respected by the regions and ultimately bilateral agreements became voided. Undoubtedly, this reform was one of the Kremlin's greatest victories to date against segmented regionalism. By this means, one of the biggest obstacles to Putin's new federalism has been removed and the legal basis on which the republics based their excessiveness has been eliminated. This can be regarded as one of the most remarkable reforms made so far in terms of characterizing Putin's new federalism (Sakwa, p. 273). By eliminating bilateral treaties, the overdose asymmetry caused by these agreements has been reduced. More importantly, there was no document left to show that the Russian Federation is a *treaty-based federation*¹⁵¹, and the foundation of a *constitution-based federation* was laid on the road to new federalism. Putin's new federalism has no place for any of these, and thanks to this achievement, it was now even more possible to approach the goal.

While trying to regulate legal space, Putin also focused on the inconsistency of the economic space, which he believed it as another bleeding wound of the country, and wanted to create "a single Russia-wide economic space" (Gel'man, p. 11) by making a national market reform that works throughout the country. Based

¹⁵⁰ Such as Perm, Ulyanovsk, Nizhny Novgorod and Mari El (Sakwa, p. 273).

¹⁵¹ The two exceptions here, although the privileges have been quite reduced compared to the previous agreement, was the renewed bilateral agreement with Tatarstan and the negotiations with Chechnya, even though it was not finalized. For further details, see (Sakwa, pp. 273-274).

on this, Putin tried to prevent the independent economic policies of the regions, intended to introduce standard practices for economic activities throughout the country and determined to take back the tax concessions given to the regions during the Yeltsin period (Sakwa, p. 274). In this context, with a tax law in the summer of 2000, it was attempted to make the regions to keep their tax revenues at lower rates in their regions, accordingly it was intended the federal center to get the lion's share of the taxes collected throughout the country¹⁵² (Sakwa, p. 274). At the same time, there was an attempt to weaken regional budgets and to make regions more dependent on the center by removing some taxes collected by the regions and forcing the revenues of the regions from some tax items to be transferred to the center, contrary to the past (Gel'man, p. 11). This situation would mean that the regions would not be able to act as autonomously as before because they will have lower budgets and the federal center would increase its financial power over the regions due to the increasing income. In addition, with this law, it was aimed to make the income distribution fairer and the budget differences between the regions were planned to be reduced to minimum levels (Sakwa, p. 274). Yet, it was impossible to reduce financial inequality in between the regions in short terms; and the gap between rich regions with natural resources, which did not even reach the twenty in number but made up almost half of the domestic output, and the resource-poor regions, which were close to seventy in number and had to be subsidized due to budget deficits, continued to increase (Sakwa, p. 275). Although it was not successful in reducing the economic gap between the regions - for reasons like it took back some of the concessions made to the regions, it provided the transfer of the taxes collected in the regions to the federal center in larger rates, thus it reduced the budgets of the regions while increasing the budget of the center - it is worth to examine such a reform in terms of it reduced the relative autonomy of the republics and stubborn regions a little more.

After achieving a great victory against the subunits in the subject of bilateral agreements and to a certain degree finding a solution to the chronicle problems such

¹⁵² The federal government would receive 70 per cent of tax revenue, leaving 30 per cent to the regions instead of the 50 per cent they received earlier (Sakwa, p. 274).

as incompatibility of the economic/ legal space, Putin changed the course towards another dilemma and started to focus on the disorder of executive power, which he saw as one of the biggest failures of the federation since the day he took office. This issue based on the maverick regional executives who were accustomed to dominate the regions in accordance with the victory of executive against legislation throughout the country in the Yeltsin period. By the last years of Yeltsin's rule regional executives started to take office by being elected and with this legitimacy their relative autonomy was increased. Consequently, they were often not very sensitive to national issues and prioritized their regional interests, causing the Kremlin to fail to form a 'power vertical' or 'vertical chain of authority' (as cited in Ross, 138-139), in which it could work in harmony. Within this context, Putin underlined the necessity of executive power to act in a unified manner towards the end of 2004 and opened a discussion about the power vertical established through federal districts should expand to include all executive powers at all levels (Sakwa, p. 275). When it is considered that the units below the federal districts are federal units, it is easy to see that Putin's target was the executive power of the republics and regions. Accordingly, shortly after the beginning of the aforementioned discussions, a law and a presidential decree were enacted and a new regulation was made regarding the election of executive powers in sub-units. Pursuant to this regulation, it was decided that the regional governors would be took office by the election of regional parliaments instead of general elections. However, the election to be made by the regional parliaments would only be in the form of approving or not approving the candidate nominated by the president. If it needed to explain the process in more detail in the light of the information provided by Sakwa (2008), first, the presidential envoys, who are in charge of the administration of the federal districts, would fulfill their duty of advisory. In this context, they would prepare a list of two candidates they deem appropriate for the governorship of the regions under their jurisdiction prior to the election periods of the regions and submit it to the president for evaluation. Then, the president would choose one of these candidates and notify the regional parliament of this name at least ninety days before the end of the current official's term of office. Ultimately, the regional

parliament would hold a vote on whether this candidate is approved or not. A candidate would need to get more than half of the votes in parliament to be elected. If the candidate was selected, the candidate would be entitled to hold office for more than two terms, five years each. In the case if the president's candidate has not been approved by the parliament twice, the president would have the right to dissolve the parliament and would appoint a governor to the region for a temporary term (Sakwa, p. 277). Such a regulation has narrowed the range of action for local parliaments considerably and made the president very strong in electing executives across the country. The fact that in the first year of implementation, none of the names nominated by the president were rejected by any local parliament (Sakwa, p. 277) supports this. This situation was at odds with the *self-rule* principle of federalism due to the adoption of a method that could be called appointment, damaged the autonomy of the regions, and exacerbated the debate that Russia has begun to adopt a more centralized federative structure in the last few years¹⁵³ (Sakwa, p. 277). Thus, while the regional executives were powerful representatives responsible to their voters until just a year ago, after this reform they had become a kind of bureaucrat responsible to the federal executive (Sakwa, p. 278). These persons would be able to hold office for more than two terms and in a fairly enough time they would ensure that the president 'has someone trustful' in that region¹⁵⁴. Therefore, perhaps the biggest step has taken so far to weaken the federal subunits and the autonomy of the regions had been further reduced. But, this was done at the expense of damaging federalism.

¹⁵³ According to the information given by Sakwa (2008), when these criticisms were combined with the public desire to continue the elections, the regulation was changed and political parties with the majority in the local parliaments were also allowed to nominate candidates. Yet, this situation did not create a major change in practice (pp. 277-278). According to Gelman (2008), the reason for this is directly related with the reform that restricts the election of regional parties: As detailed below, this law caused Putin's party, United Russia, to be highly influential in local parliaments, and the aforementioned party became the majority in most regional legislatures. On such an occasion, there was no difference between the political parties with a majority in local parliaments gain the right to nominate candidates and Putin's nomination of candidates (p. 15). All these eliminated the democratic customs in relation to the elections of regional executives.

¹⁵⁴ I.e. Shaimiev of Tatarstan and Rakhimov of Bashkortostan, as a more loyal example Kadyrov of Chechnya.

However, it was not contented with that step and the influence of regional leaders on the legislative powers was also curbed. During the Yeltsin period, the regional parliaments were generally composed of non-party regional elites or representatives of the non-institutionalized regional parties controlled by these elites, thus displayed an unorganized, fragmented and weak image (Ross, pp. 97-99). This situation strengthened regional governors' and business elites' hand and made it easier for them to control the regional parliaments (Ross, p. 113). With the series of law enacted within the first five years of Putin's rule, first of all, minimum organization criteria were determined for a party to be registered, and regional parties were prohibited from registering as a political party (Gel'man, p. 12) and therefore it became impossible for them to participate in elections (Sakwa, p. 278). Thus, candidates were obliged to be a member of a party that is organized at national level in order to participate in any election at regional and national level. Considering the rareness of national parties that had the ability to organize across the country, the party that candidates who wanted to do politics at the regional level had to apply was generally United Russia, which was also the party of Putin (Sakwa, p. 278). As such, the regional elites were shackled and their political domination was inhibited, at least until an effective national opposing party (Just Russia) emerged (Sakwa, p. 278). Afterwards, the electoral system implemented in the regions was similarized with the national electoral system and it was stipulated that at least half of the names to be included in the regional parliaments would be elected from the federal party lists to be formed by the national parties (Gel'man, p. 12). Keeping in mind the fact that the national party lists were determined by the politicians in the center, from that date on, it would not be difficult to guess that politicians in Moscow began to be quite influential on regional parliaments and elections, rather than governors (Sakwa, p. 279). On top of this, an election threshold was set and the tradition of powerful names in the regions to enter the parliament independently was interrupted, what in turn forced these people to turn to national parties to participate in the elections (Sakwa, p. 279). Thus, by increasing the effectiveness of national parties in regional legislatures (Gel'man, p. 12), more organized and strong parliaments that were closer to the federal center

were formed; and the rule of regional elites, who were traditionally dominant in regions by making use of weak, fragmented and non-party¹⁵⁵ regional councils (Ross, p. 109), was ended. By doing so, a political homogenization was applied throughout the country; however, this eroded the unique political diversity of Russian federalism for many and led to arguments that the current federation was inclining to authoritarianism beyond being unitary and centralized (Sakwa, p. 278).

The last reform has been directed explicitly to the formal structure of the Russian Federation. With a law enacted in 2001 and later amended in 2005, regions were given the right to merge with each other, and then regional leaders were given the opportunity to hold a referendum on this issue (Sakwa, p. 279). The practice of merging the regions, according to official statements, aimed to simplify the complex federal system that generally prevails throughout Russia. In the absence of any reading of intent, such an explanation makes sense. Indeed, Russia's federal structure is so complex that even people studying Russia could get confused. However, it is impossible for ethnic subunits not to read intent on such a subject. When the centralist tradition and the *guberniya* structure that inherited from the imperial period, the centralist party system of Soviets, and the discussions about returning to the unitary system right after the dissolution of Soviets considered, the concern of the ethnic regions is quite understandable (Sakwa, p. 280). Their minds were full of questions about whether this reform has the motivation to destroy ethnic units in the country or not (Sakwa, p. 280). As a matter of fact, efforts to merge some regions faced with significant resistances. For example, the natural resource-rich Nenets Autonomous *Okrug* strongly opposed the idea of merging with the resource-poor Arkhangelsk *Oblast*, fearing that it would lose its economic privileges (Sakwa, p. 279). Likewise, the Republic of Adygea refused to merge with the surrounding Krasnodar *Kray*, thinking that the ethnic Adygea people would lose their special status in the administration in case of a possible unification (Sakwa, p. 280). However, although there are such examples, it is not possible to say that the reform had failed. Some of the regions merged successfully. According to Sakwa

¹⁵⁵ See section 2.3.3.

(2008), the merging of the regions was generally carried out in two ways: The first of these was the merger of two neighboring ordinary *oblasts* or *krais*. The second was the merging of any autonomous unit surrounded by any *oblast* or *krai* with the *oblast* or *krai* in question (Sakwa, p. 279). Starting from 2005, there are many examples that can be given for this method. The first of these was the merge of the Komi-Permyak Autonomous *Okrug* with the Perm *Oblast* that surrounded the *okrug* in question, and their foundation of the Perm *Kray*. By the same logic, the Ust-Ordinsk Buryatia Autonomous *Okrug* merged with the Irkutsk *Oblast*, in which it was placed in, and turned Irkutsk into a larger *oblast*. Likewise, the merging of the Aginsk-Buryatia Autonomous *Okrug* with the Chita *Oblast*, where it was located within, and establishing the Zabaykalsk *Kray* (or Trans-Baikal *Kray*) can be shown as an example to this as well. Within the scope of this second method, it was also seen that the autonomous units and the *oblasts* or *krais* located side by side were sometimes merged. For example, Evenki and Taimyr Autonomous *Okrugs* merged with their neighboring Krasnoyarsk *Kray* and formed one of the largest regions of Russia. To give another example, it can be mentioned that neighboring Koryak Autonomous *Okrug* and Kamchatka *Oblast* merged and formed the Kamchatka *Kray*. As can be seen from all these examples, this reform aimed to reduce the “matryoshka doll-like” structure of Russian federalism, as Sakwa (2008) mentioned (p. 279). And this is indeed the case. When looking at the maps of Russia’s federal structure, it is easy to come across small autonomous units located within or right next to a large *oblast* or *krai*. This situation resembles the matryoshka dolls placed one inside another, and that was exactly what Putin desired to eliminate through this reform. Gelman (2008) also agreed with that view and mentioned that what was aimed here is not to create gigantic zones through mergers (on the contrary, that’s avoided), but to inclusion of autonomous *okrugs* into the *krais* or *oblasts* (p. 13). Ultimately this goal was achieved and the number of federal units was reduced to 83 (see map 2)¹⁵⁶. By doing so, as well as reducing the power

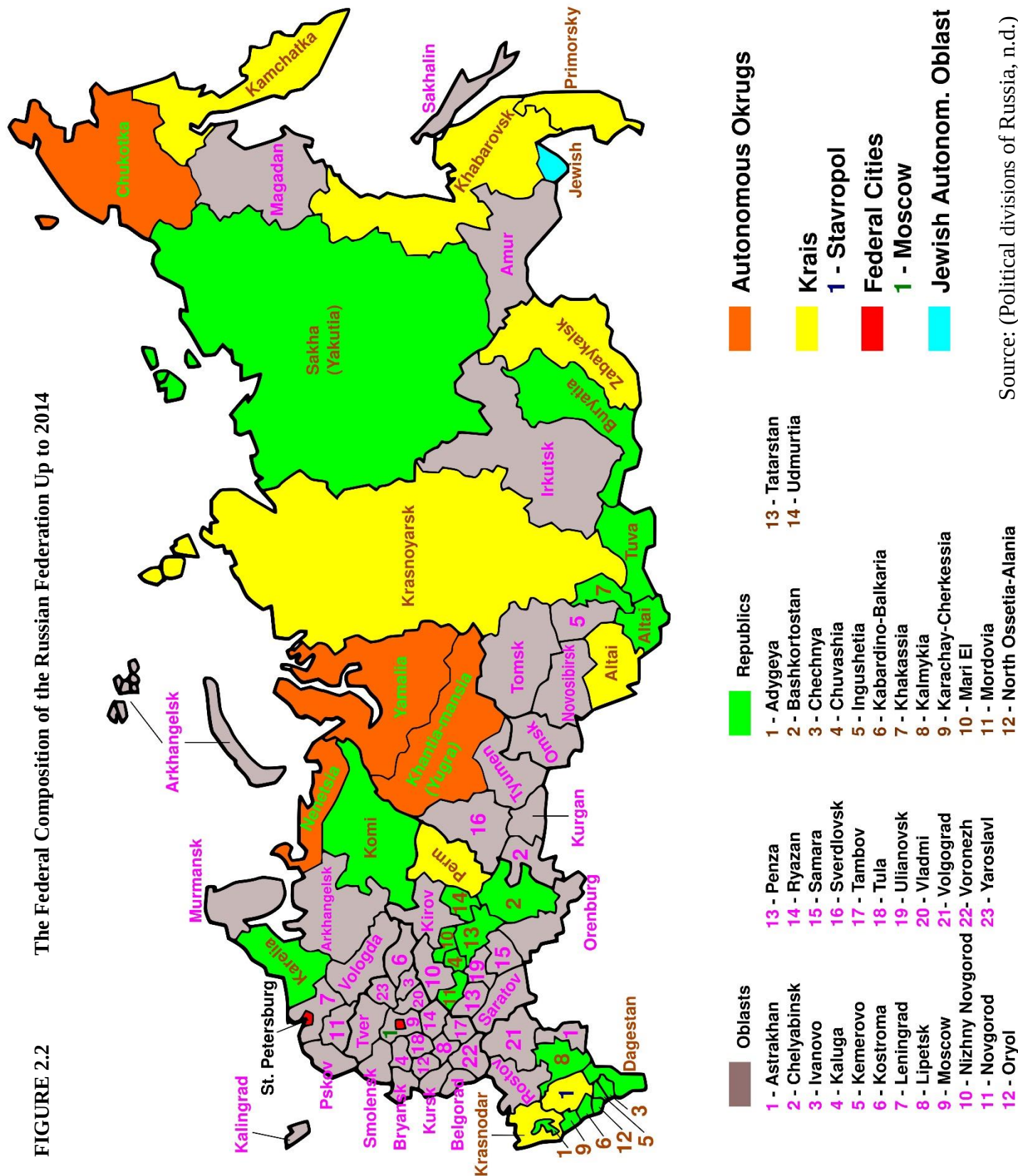
¹⁵⁶ See also 2.3.1 for details.

of the republics, the federation was simplified and the foundations of Putin's new federalism were strengthened.

Looking at all these reforms targeting segmented regionalism, it can be stated that Putin's reforms can be classified in two categories. The *first* of these are the reforms that created change over the form of the federation. Establishment of federal districts and the merging of regions could be count among these. These reforms fall directly within the scope of this thesis, due to the fact that it gives an eventual shape to Russia's federal structure. The *second* are reforms aimed at weakening stubborn republics and powerful regions. It may not seem correct to consider such reforms within the extent of this thesis, since it does not create an alteration on the shape of the federative structure. However, it is the spirit inherent to the federation rather than the form of this federation that makes Russia's federative structure unique. This spirit was based on asymmetrical federalism inherited from the Soviets and on the subunits which became even stronger during Yeltsin's ten years of turbulent rule. Here it is Putin's reforms directly targeted this spirit and tried to file off the basic features that created this spirit. This situation clearly illustrates the tacit change in the federative structure of RF. A federation consisting of fewer and relatively weakened regions, and less asymmetry between regions in terms of jurisdiction, are features of Putin's new federalism very self.

When all these are taken into consideration, it would not be wrong to say that Putin was trying to re-establish a federalism understanding in response to all the problems created by segmented regionalism, but that the new federalism was built on the formulation of 'para-constitutionalism + centralization'. During the implementation of these reforms, para-constitutionalism was clearly preferred. In this context, most of the reforms listed above taken place by presidential decree or similar means. No constitutional changes had been made for almost any of these reforms. In Sakwa's statement (2008), "they represented a change to the constitutional order without changing the letter of the constitution" (p. 269). Indeed, almost all of these reforms *de facto* transmuted the order established by the constitution by creating a transformation in the federal system; however, no constitutional amendment has been applied for any of them. This is precisely why

FIGURE 2.2 The Federal Composition of the Russian Federation Up to 2014



Putin's actions are considered as "para-constitutional" (Sakwa, p. 269). On the other hand, it seems that almost all of these reforms were made in order to prevent the diversity and segmentation created by asymmetric federalism. Almost every reform aimed at weakening republics and regions could be given as an example of this. These reforms brought the constitutions of the republics and the charters of the regions closer to the federal laws and the constitution, and made the regions similar to the federal center by minimizing many differences unique to the republics and regions from economy to the regional forms of governments. In addition, by reducing the autonomy areas of the regions and the legitimacy of the regional leaders as much as possible, the centrifugal tendencies were limited and the branches of the state institutions in the regions were again taken under the control of the center (Sakwa, p. 282). Although Putin seemingly preserved federalism, he actually attempted to build a more centralized and a single-space federalism, and was partly successful in this. At the end of the day, considerable central control over the regions was established, the balance of power in center-periphery relations returned in favor of the center relative to that of the 1990s (Gel'man, p. 12), and at least most of the regions except the Caucasus were politically, economically and administratively provided to be subordinated to the center (Gel'man, p. 15). In other words, instead of a bottom up and horizontal structure where sovereignty is distributed over regions as before, a top down and vertical federalism where power is concentrated more in center had been constructed. In this regard, it is clear that Putin's new federalism tends towards centralism, if not as much as Soviet and Tsarist centralism, and this should be regarded as a significant change in the federative structure. In Gelman's words (2008), Russia was re-centralized and Hobbes's Leviathan returned to Russia to end the 'war of all against all' that dominated the 1990s (p. 19).

As a result, many scholars working on this issue agree that these reforms were designed to show a deviation from the asymmetric federative structure reinforced by the flexible and generous federal policies Yeltsin implemented. However, it is not possible to see the same consensus around the argument that these reforms succeeded in creating an integrated federation. Undoubtedly, there

are reasons for this. In post-Soviet Russia, the subunits have traditionally become a supervisory power over the federal center due to the vast autonomy they *de facto* have, although they may not have powers that are clearly and constitutionally regulated and thus do not conflict with federal laws (Sakwa, p. 282). So much so that, with their strong opposition, they often performed a more effective check and balances over the executive than the legislative and judicial forces¹⁵⁷. Putin's reforms, on the other hand, intended to make the regulations regarding subunits uncontested and focused on the determining power of the laws. He aimed for the constitution and the judiciary to be dominant throughout the country (Sakwa, p. 282), and wanted the law to be applied in the same way whole of the Russia. Especially in regional policies, he tried to ensure that the constitution is placed at the center (Sakwa, p. 282) and that all rights are *de jure*. He desired to build a common and uniform citizenship instead of a citizenship that offers different rights in different parts of the country (Sakwa, p. 282). All these liberal ideals sound good, but these reforms were made at the expense of destroying the customs peculiar to Russian federalism. In this sense, the sovereignty of the sub-units has been emasculated as much as possible and their characteristics of being a supervisory force of the federal executive body have been eliminated (Sakwa, p. 282). While trying to undermine segmented regionalism, this situation harmed Russia's federal pluralism and the democratic separation of powers (Sakwa, p. 283). Moreover, it is clear that 'reforms' such as removing elected governors and dissolving parliaments are against democracy (Ross, p. 151). By strengthening the constitution and laws, the possibility of creating a pluralistic and unique federalism in which subunits are integrated into both laws and democratic practices has thus been missed. As a matter of fact, what has emerged is nothing more than a unitary-like federation, which can only operate under the rule of the federal center, and in which the subunits cannot participate in federal decision-making as before. According to many, Putin sacrificed democracy and federalism in order to achieve unity (Ross, p. 153). In summary, the fact that the reforms are far from a constitutional basis and resemble

¹⁵⁷ This is not surprising given that the legislature and the judiciary have weakened against the executive during the decade of chaos, but sub-units have become stronger.

the traditional centralization existing in Russia; have left controversial the issue of how much these reforms are compatible with the *shared-rule* and *self-rule* principles of federalism and how much an effective governance model it offers. In this context, although Russia continues to remain a federation in terms of form, the question of to what extent she fulfill the requirements of federalism will increasingly continue to be a matter of debate in the literature.

2.3 RUSSIAN SENSE OF 'FEDERATION': *FEDERATSIYA*

The section that has been told so far has attempted to narrate in detail how the idea of federation took shape in Russia starting from the Tsarist period. The reason why narration started from the Tsarist period is that the first steps evoking federation were taken during this period. However, the reforms made during the Tsarist era were not designed to meet the principles of *self-rule* and *shared-rule* of federalism, and this was never the aim of the Tsars. The thing that was done in the Tsarist era was to divide a growing gigantic empire into administrative units led by centrally appointed governors and to make *Russkaya strana* easier to rule. Nevertheless, the establishment of country-wide administrative units and the transfer of some of the central powers to these units have been a clear indication that the idea of federation had started to flourish. Even though there was more time needed for an ideal federalism to be emerged, a unitary empire began to feel the need to divide its territory into administrative units in order to ensure a more effective administration, and consented to delegate some of its powers, albeit insignificantly, to these units for this purpose. This situation has been interpreted as the footsteps of the federation.

However, considering that the empire did not gave up its unitary structure, the real story began with the October Revolution. The Bolsheviks were the first to bring the federation to life both in terms of name and form, and in the following period, they built a very original federative structure. Considering extremely centralist party structure that was immanent to the Soviet system, it remained a question mark to what extent the established structure met the principles of federalism. The next break occurred with the dissolution of the Soviet Union in the

last days of 1991. After this date, the Russian Federation was born as an independent state and started to discuss a new federative structure. However, the federative structure taken over from the RSFSR could not be changed after long discussions and the inheritance was largely maintained. Here, the adverb ‘largely’ is used deliberately; because there had been a significant transformation in the federative system that cannot be ignored. As a result of the absence of the extremely centralist Communist Party that controls the regions, and the weakening of the newborn Russian State due to the painful disintegration process; the effectiveness of the federal subunits had increased considerably, and a federation had been formed in which the regions were very strong compared to the past. This situation was riveted by the state crises in the Yeltsin period and the regions found a way to get stronger each time. Putin, who was disturbed by this situation, opened a new page in the fate of the federation after he came to the power. Since then, the focus has been on reforms that would downgrade the effectiveness of the regions and the Russian Federation has again been brought closer to centralization. Thus, the discussion was reopened on whether the federation in question meets the principles of federalism and whether it is a genuine federation. This debate is still valid today. However, this study does not mainly focus on this debate, although it is frequently touched on this issue in the section of this thesis discussed so far. Moreover, this thesis has no purpose of answering this question. The aim of the story described so far is to show how the idea of federation in Russia was shaped and how the federative structure was formed. By this means, the characteristics of the federative structure dominating the Russian Federation and its differences from other federations are intended to be described. In other words, answers of the questions of what is the understanding of federation by the Russians and what are the features of the federation they established in accordance with this understanding has been sought. It is for this reason that until this section a general framework has been endeavored to draw by focusing on many unique features of the *Federatsiya*. Now is the time to create the portrait of the *Federatsiya* and elaborate on its unique characteristics within this framework.

2.3.1 Hybrid Federalism

The Russian Federation has a rather complex federal composition. The reason why this structure is complex is primarily due to the large number of units it contains. Second, these units are of different types. This second reason constitutes one of the most striking features of the *Federatsiya*. Basically, the units that make up the Russian Federation can be categorized into two classes, *ethnic* and *territorial*. These two types of units are located in the Russian Federation at the same time. Thus, the Russian Federation alone adopts neither ethnic nor territorial federalism. On the contrary, it is a *hybrid federation* that includes both simultaneously. This is not the case with most of the federations we have covered to date. Even if it is seen, generally one or more ethnic entities can be found at most. However, the situation in Russia is quite different and there are many ethnic units as well as territorial units. This is what makes Russia's federal structure complex but unique. Heinemann-Grüder considers such a hybridity to be the best possible combination for Russia (as cited in Burgess, p. 42). According to him, Russia's avoidance of only ethnic or territorial federalism is one of the biggest gains of the federation in question (as cited in Burgess, p. 42). Despite the necessity to keep a distance to such an assertive statement when it is considered within the scope of segmented regionalism; it can be easily said that the first distinctive feature of the *Federatsiya* is the fact that it contains a large number of ethnic and territorial units in a coexistent manner, and thus creates a hybrid federation. In order to better understand the framework of this hybrid structure, it is essential to clarify the federal composition, which has been mentioned many times until this part of the thesis.

Until Putin's reform of the merging of regions in 2005, the Russian Federation consisted of 89 federated units in total. 32 of these were ethnically defined *ethno-federal* units. The remaining 57 were composed of *territorial-federal* units defined regionally. Basically, these are the two types of units that make up the Russian Federation. However, these units were also divided into different types within themselves. Of the 32 ethnic-national units, 21 were *republics* and 11 were other national autonomies. Of these national autonomies, 10 had the status of

autonomous okrug and 1 of them had the status of *autonomous oblast*. On the other hand, 57 territorial units were comprised of 49 *oblasts*, 6 *krais* and 2 *federal cities* (Moscow and St Petersburg). The part so far has been discussed in detail before.

However, since the unification trend that started in 2005, the number of these units began to change and the federal composition was altered (see section 2.2.2 above). According to Sakwa's info (2008, p. 280), with the mergers made until January 2007, the number of subjects forming the federation was reduced to 86 in the first analysis. However, it was not satisfied with this and the mergers continued after this date. As detailed in the section where this thesis deals with the merging of regions, a federation of 83 *subyekty* (federated units) has been formed in the final analysis. In this new composition, 26 out of 83 units were *ethnic* units. Of these, 21 were *republics*, 4 were *autonomous okrugs*, and 1 were *autonomous oblast*. As can be clearly seen here, a significant decrease in the number of *autonomous okrugs* had been recorded. This is because, as explained earlier, the merging policy had largely targeted *autonomous okrugs*. It was aimed to reduce the *matryoshka* structure peculiar to the *Federatsiya* by merging small-scale *autonomous okrugs*, which were generally placed inside or next to *oblasts* and *krais*, with the aforementioned *oblasts* and *krais*. This had significantly reduced the number of *autonomous okrugs*. After successfully implementing the reforms that weaken the republics, Putin minimized the *autonomous okrugs* and reduced the influence of ethnic components in the federal structure as much as possible. On the other hand, the remaining 57 units consisted of *territorial-federal* units. Of these, 46 are *oblast*, 9 are *krais* and 2 are *federal cities*. As can be understood from here, the number of *oblasts* had decreased and the number of *krais* had increased. The reason for this is that the *oblasts* were transformed into *krais* in terms of status, in consequence of their merge with the *autonomous okrugs* they surrounded and formed larger administrative units; however it does not represent a significant change in administrative terms.

The most recent change occurred in 2014 with the controversial annexation of Crimea. Subsequently, Crimea was declared a *republic* and Sevastopol, one of the two most important cities of Crimea, was recognized as a *federal city*. Thus, the

number of *republics* increased to 22 and the number of *federal cities* to 3. The number of other federal units remained the same. Thus, the number of *subyekty* that made up the federation became 85 and the *Federatsiya* reached its final federal composition (see map 3). As can be seen, the number of federated units forming the Russian Federation has changed frequently; however, the hybridity inherent in the *Federatsiya* has always been preserved. *Ethnic* and *territorial* units have continued to live symbiotically until today, which means that one of the most characteristic features of *Federatsiya* continues to exist.

2.3.1.1 Ethno-National Federalism

The parts that make this hybridity indispensable are undoubtedly *ethno-national* units. These units were established in reference to the presence of a particular non-Russian ethnic group in a specific region. In other words, each ethno-national unit indicates the existence of a specific ethnic community living in that region. These ethnic groups are often referred to as ‘titular nationality’. The reason for this is that the relevant ethnic group densely living in the region has named the ethno-national unit in question. According to Ross (2003), the aforementioned titular nationality has priority in the administration of that region, regardless of the population density in that region¹⁵⁸ (pp. 65-66). Kahn (2000) is also on the same page with Ross on this topic. According to him, although the constitutions of the republics refer to liberal values based on the equality of individuals, in practice they discriminate openly by granting special rights and concessions to citizens belonging to the titular nationality¹⁵⁹. As for the entities established in the name of these titular

¹⁵⁸ In less than half of these units, the related titular nationality is the majority. For instance, Russians are the majority in at least half of the more than twenty republics despite the presence of the titular nationality in these republics. This situation is more obvious in autonomous *oblasts* and *okrugs*. Still, the system continues to prioritize the indigenous nationality. To give an example especially from the pre-Putin period, although the Sakha’s in Yakutia constitute close to 35 percent of the population, they control seventy percent of the positions in government bodies. To give another example from the same period, while not even half of the population in Tatarstan is Tatar, nearly 80 percent of the ruling elites are Tatars.

¹⁵⁹ For example, although the Bashkir make up less than twenty-five percent of the Bashkortostan Republic, according to Article 69 of the Bashkir Constitution, the Republic of Bashkortostan “was formed as a result of the realization of the right of the Bashkir nation to self-determination...”. Likewise, according to the constitution of Adygea Republic, the Adygea Republic founded “as a

nationalities, they equipped with different degrees of autonomy because they represent an ethnic difference. In short, these entities are considered as the homelands of the respective nationalities and are seen privileged by the federal center. This is due to the autonomy given to the nations in question due to the Soviet principle of self-determination of nations, and this legacy was continued in the Russian Federation.

Respublikas (republics) come first among these units. Republics are the successors of the autonomous republics (ASSR's) inherited from the USSR legacy. During the Soviet era, autonomous republics were designed for significant, populated and influential nations that did not live on external borders¹⁶⁰ (Filippov and Shvetsova, p.67; DeBardleben, p.36), and most were positioned within the RSFSR. They also continued to maintain their constituent status and autonomous existence within the RSFSR, after the establishment of the Russian Federation. Today they are at the top of the hierarchy that constitutes federated units. In this regard, they have the greatest powers and rights. Based on these rights, each writes their own constitutions and establishes their own assemblies through elections. They even had the right to elect their own presidents until Putin's reforms. Moreover, they used to have various economic and cultural privileges, and have carried out their economic and cultural life on their own independently from the center. They can accept their mother tongue as the official language.

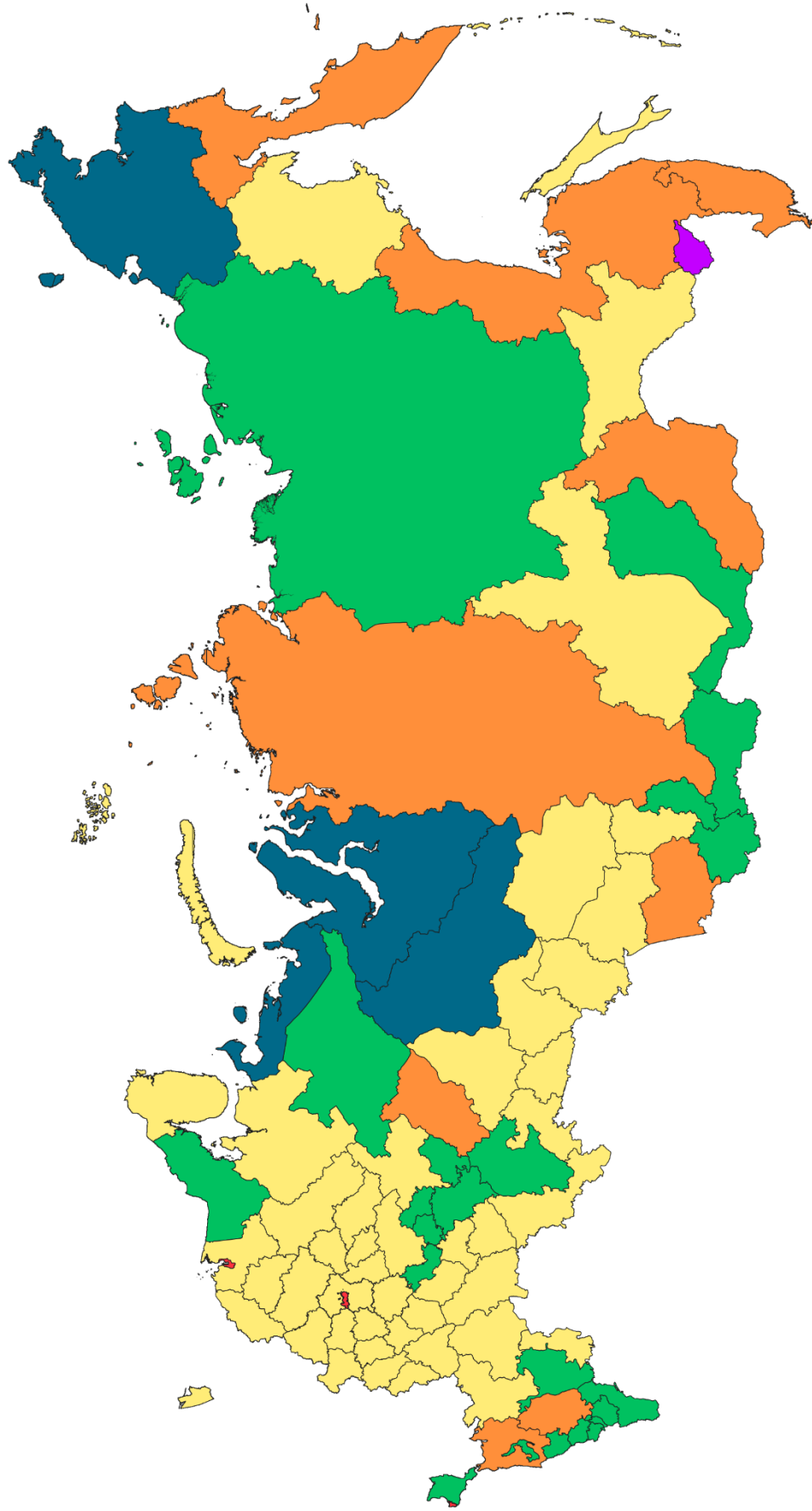
As for the ethno-national units that came after the republics are the *avtonomnaya oblasti* (autonomous region) and the *avtonomnyy okrugs* (autonomous district/area). These were also founded on the basis of the existence of a specific ethnic group, just like the republics. However, the designers of the USSR federal system did not see these ethnic groups as dominant enough to have a republic, they were convinced that these small groups did not meet the criteria that needed to constitute a republic; therefore, they found it unnecessary to authorize these entities as much as republics. What eventually emerged were structures more

result of the realization of the right to self-determination of the Adygea people", despite the fact that Adygea people compose lower than 25 percent of the population (as cited in Ross, pp.65-66).

¹⁶⁰ Great nations on the external borders received the status of union republics (SSR's).

FIGURE 2.3

The Federal Composition of the Russian Federation After 2014



Source: (File:Map of federal subjects of Russia (2014).svg, n.d.)

autonomous than the *oblasts* but more dependent than the republics. Accordingly, these units were not authorized to make their own constitutions; they were only allowed to have charters and statutes. In addition, they were not given the right to elect their own presidents and, contrary to republics, they were governed by governors appointed from the center. Even though they were autonomous, they were generally subordinated to a federal unit (this has often been an *oblast* or a *kray*) that was close to them and larger than them, and “administered as distinctive parts” (Lynn & Novikov, p. 191) of these federal units. Except for a few units that own natural resources, they also did not enjoy extensive economic privileges. It only has gained some cultural autonomy by recognizing its ethnic differences and relevant titular nationalities have been prioritized in terms of the administration of regions.

As stated before, there is only one *autonomous oblast* left in the Russian Federation today. It is the Jewish Autonomous *Oblast* and has been left within the federal system solely because of its historical significance. Today, almost all Russian Jews live outside this unit¹⁶¹. This has been the case in the history, too. Despite this, USSR administrators thought that the large number of Jews living scattered across the country should also have an autonomous unit, in line with the principle of self-determination of nations, and designed this unit. Therefore, this unit has no significance beyond being a symbolic entity. Indeed, all autonomous *oblasts* except Birobidjan were turned into republics during the establishment of the Russian Federation.

As for the *autonomous okrugs*, the legal status of these units is somewhat confusing. The reason for this is the contradictory regulations of the constitution regarding the status of these units. Particularly, the inconsistent relations of these units with the *oblasts* and the *krais* are quite remarkable at this point. The Russian Constitution subordinated the autonomous *okrugs* to the rule of the surrounding or neighboring *oblasts* and *krais*¹⁶². Thus, autonomous *okrugs* are simultaneously

¹⁶¹ “Today they ... represent only 1.7 per cent of Russia’s Jews” (Sakwa, p. 242).

¹⁶² The only exception here is the Chukotka Autonomous Okrug, the unit in question is not affiliated with any oblast or kray and is directly subordinate of the Russian Federation.

considered to be the members of the Russian Federation and the constituent elements of the *oblast* or *krai* to which they are affiliated (DeBardeleben, p. 40). However, this situation, by being incompatible with the constitutional article stating that the subunits are equal to each other, primarily contradicts with the Russian Constitution itself. A second contradiction is about the autonomous status of the units. Once considered that autonomous *okrugs* are units with autonomy as the name implies, leaving them under the control of other regions that do not have autonomy in administrative terms creates definitely an uncertainty¹⁶³. This uncertainty occasionally causes political tensions and deadlocks¹⁶⁴. On the other hand, some of these units are known to be natural resource-rich units, such as Khanty-Mansiisk and Yamal-Nenets AOk's. This enables the autonomous *okrugs* with this wealth to have *de facto* independence from the *oblast* or the *krai* to which they are subordinated, and let them to enjoy greater privileges compared to other autonomous *okrugs*. The complete abolishment of the relatively poor autonomous *okrugs*¹⁶⁵, who did not have this wealth, with Putin's reforms confirms this argument. Another interesting aspect of autonomous *okrugs*, as explained earlier, is that they are placed like a matryoshka doll within their host *oblast* or *krai*. However, this situation was almost completely eliminated with Putin's reforms.

¹⁶³ The uncertainty is that what is the status of these units compared to *oblasts* and *krais*? Are autonomous *okrugs*, *oblasts*, and *krais* equal or are either of them subordinates or superiors of the others? How a unit administratively subordinated to another unit while it is constitutionally equal with that unit? This situation creates a clear contradiction. According to the information provided by Ross (2003), pursuant to a decision of the Constitutional Court in 1997, if there is no specially arranged agreement between the *oblasts* / *krais* and the autonomous *okrugs*, in case of any dispute the constitutional provisions prevails and these units are considered equal to each other. Thus, *oblasts* / *krais* cannot interfere with the internal affairs of autonomous *okrugs*. However, people living in the autonomous *okrugs* can participate in elections at the level of *oblast* or *krai*, as they are accepted as the population of the *oblasts* and *krais* because their autonomous *okrug* are affiliated with the *oblast* or the *krai* in question. The same people are already participating in elections at the autonomous *okrug* level. However, it is not possible to say the same thing for the population living outside the autonomous *okrug* of the *oblasts* and the *krais*. While these people participate in elections at the *oblast* and *krai* level, they cannot participate in the elections at the autonomous *okrug* level. According to Ross (2003), this suggests that autonomous *okrugs* have a more equal status than their host regions, the *oblasts* and *krais*, as they give autonomous *okrugs* a chance to influence the political situation in their host regions (pp. 58-59).

¹⁶⁴ I.e. Constant grievances and boycotts of Khanty-Mansiisk and Yamal-Nenets AOk's for independence or complete autonomy from their host, but the resistance of Tyumen *oblast* and oblast leadership to these demands.

¹⁶⁵ I.e. Komi-Permyak AOk.

The last strangeness about these units is related to the ethnic composition of these units (Ross, p. 59). In most autonomous *okrugs*, the ratio of the eponymous nation to the general population of the region corresponds to a very small percentage. Yes, in most of the subunits in Russia the titular nation remains in the minority compared to the Russian population. However, the situation is much more extreme here, such that in some autonomous *okrugs* the population of the titular nation is even less than five percent of the total population of the region¹⁶⁶ (Ross, 2003). Despite this, these regions were given an autonomous status and cultural and ethnic privileges were granted within the framework of the right of nations to self-determination. All this makes autonomous *okrugs* perhaps the most interesting federal unit of the Russian Federation.

2.3.1.2 Territorial Federalism

Another element of this hybridity is *territorial-federal* units. Unlike the ethno-national units, these units were not built on any ethnic difference; because these units are generally the regions dominated by the Russian population and are not the regions where any ethnic group lives in a concentrated form except the Russians. Therefore, it can be said that these units were founded solely for administrative purposes. This is why they were not equipped with any autonomy. They were only allowed to make charters and statutes, just as autonomous *oblasts* and *okrugs*. The most common of these are undoubtedly the *oblasts* (regions). *Oblasts* are administered by a governor appointed by the center and have a locally elected parliament, as is the case with every subunit of Russia. Another type of these units are the *krais* (frontier territory). *Krais* are not technically different from *oblasts*. It has the same powers and rights as the *oblasts*. The reason for their existence in a separate status from the *oblasts* is based on their historical background. During the expansionist Tsarist period, *krais* were regarded as pioneering border regions. Later on, this name was kept alive traditionally and the mentioned border regions continued to be called as *krais*. According to

¹⁶⁶ I.e. Khanty-Mansiisk and Yamal-Nenets AOk's.

DeBardeleben (1997), there are a few other distinctive features of *krais* during the era of Soviet Union: *Krais*, time to time, had been a mixture of different ethnic regions. They were generally sparsely populated, not very industrialized, and geographically large (p. 36). It is possible to say that some of these characteristics of the *krais* are maintained within the structure of the Russian Federation. As for the last one of the territorial units are *gorod federalnogos* (federal cities). Although, federal cities are located within the geographical borders of different units such as *oblasts* and republics, these are administrative units whose administrations separated from these units in which they are located in.

2.3.2 Multinational Federalism

Remembering the definition of Stepan (2000), which states that a state could called as multinational “if it has territorially based differences based on language, religion, culture, and identities, and there are significant political groups that would like to build political sovereignties, or an independent state or states, around these territorially based differences” (p. 143); question of classifying Russia as a multinational or a mono-national state is not so hard. According to this definition, just like the USSR, Russia is clearly a multinational state. So much so that it is not easy to find a state in the world that fits this definition better than Russia. With a population of 145 million, the Russian Federation has almost all kinds of differences that are defined regional. As a Soviet heritage, there is great ethnic diversity within the country. According to the 1989 census, there are 128 officially recognized ethnic groups and nationalities in Russia (Ross, pp. 7-8). Pursuant to the poll in 2002, the number of recognized nationalities in the country increased to 182, and 27 million ethnically non-Russian people live in Russia (Sakwa, p. 227). Moreover, the non-Russian population does not consist of one or a few of ethnic groups in total. In other words, there are hundreds of ethnic groups with a relatively small population, rather than a few ethnic communities with a very large population other than Russians. So much so that the ratio of Tatars, the second largest ethnic group in the country, to the general population is no more than four percent. This rate is less than one percent for almost all ethnic communities in the country, except

for a few ethnic groups¹⁶⁷. Accordingly, dozens of federated units built on ethnic and linguistic differences within the federation. Within these units, many religions from Orthodoxy to Judaism, Islam¹⁶⁸ and Buddhism¹⁶⁹ are widely believed. Besides, there is a wide cultural diversity in this gigantic geography from the Caucasus to the Volga, from Siberia to the Far East. Of course, there are elements that desired to declare political sovereignty and even independence in such a diversity. Let alone, Russia is famous for its subunits that want to declare sovereignty and independence. The ‘parade of sovereignties’ that followed the collapse of the Soviet Union is one of the most striking indicators of this. The extremist attitudes of the republics during the Yeltsin period can easily be shown as an example to this as well. In this regard, republics such as Tatarstan, Bashkortostan and Sakha hard pressed Moscow with their claims of political sovereignty. Going further than that, Chechnya was armed for independence and joined into a bloody war with Moscow. Still today, Russia is busy harnessing the rebellious republics that may advance their claim to sovereignty. Putin’s reforms should be read in this context. In this respect, it would definitely not be wrong to say that one of the distinguishing features of the *Federatsiya* is multinationalism.

However, this multinationalism is not as great as in the USSR. The rate of ethnic Russians in the general population of the Russian Federation is 81 percent¹⁷⁰. Comparing this to the fifty percent in the USSR, it will be seen that the Russian Federation has a more homogeneous demographic compared to the USSR (Lapidus, 1999, p. 75). On the other hand, the population of ethnic Russians is quite high in ethno-federal units that form the ethnic basis of the Russian Federation, and in most of these units, Russians are majority. Almost half of the approximately 25 million people living in the republics of Russia are ethnic Russians. The number of republics in which titular nations are majority are only seven¹⁷¹. The ratio of Russians to the general population is even higher in other ethnic subunits. So much

¹⁶⁷ Except Ukrainians, Chuvash and Bashkir.

¹⁶⁸ Prevalent among the peoples of the Middle Volga and the North Caucasus.

¹⁶⁹ I.e. Kalmyks and Buriats.

¹⁷⁰ According to the information provided by Ross (2003), this ratio was close to 83 percent according to the 1994 micro vote count.

¹⁷¹ Chechnya, Chuvashia, Dagestan, Ingushetia, Kabardino-Balkaria, North Ossetia and Tuva.

so that in some autonomous *oblasts* and *okrugs* the ratio of titular nations to the general population of that region go down to the tens of percent. This suggests that ethnic Russians constitute an absolute majority throughout RF¹⁷². Nevertheless, the diversity in Russia is still large enough to be seen in very few countries around the world. Although it has decreased, the federative structure designed according to this diversity ensures that Russia takes its place in the literature as a multinational federation.

2.3.3 Asymmetry

One of the most characteristic features of the Russian Federation is undoubtedly the asymmetry. In order to remember, "... under asymmetrical federalism components of the federation have different competencies and status, whereas in a symmetrical federation they are equal" (as cited in Sakwa, p.252). As discussed earlier, there are of course other asymmetric federations around the world. There are even those with a high degree of asymmetry among them. Moreover, the fact that the Russian Federation is asymmetrical is not surprising considering Stepan's argument that all multinational federal democracies are constitutionally asymmetrical. However, it is not so possible to encounter an asymmetry as complex, intricate and original as the asymmetry inherent in the Russian Federation in the world. In so much that this structure is an exemplary case for extreme examples of asymmetric federation. As Smith (1995) says, it is not only the presence of asymmetry that distinguishes the Russian Federation from other federations, but the extent of asymmetry. This is quite high in Russia. Sakwa (2008) does not think differently from Smith at this point: "While no federation can be completely symmetrical..., very few give political form to asymmetries" and "in Russia there is a formal power asymmetry enshrined in the differing prerogatives granted republics and regions and further codified in power-sharing agreements" (as cited in Sakwa, p.281). This makes Russia one of the highest ranked asymmetric federations.

¹⁷² For further statistics, see Sakwa and Ross.

While describing this situation, it is necessary to refer to the historicity of the asymmetry immanent in the Russian Federation. As detailed earlier, Russia's asymmetric federalism was inherited from the USSR. Almost all of the federated units existing in Russia today were established during the times of Soviet Union. Likewise, the privileges specific to these units were also determined at that time. Soviet rulers recognized "extensive formal prerogatives for titular nationalities" (Stepan, 2000, p. 140), in honor of the principle of right of nations to self-determination. However, these concessions varied according to the distribution of nations within the vast geography of the Soviet Union or the size and greatness of these nations. In this context, the great nations living in the border regions and who were joined to the Soviets during the establishment of the Soviets or in the following period, gained the status of a 'union republic', and by being recognized as the constituent sovereign states of the USSR, they had the right to leave the union and make their own constitutions. Great nations that did not live in border regions and therefore have their borders surrounded by another union republic have been accepted as 'autonomous republics' and have the authority to write their own constitutions. However, these units were not considered sovereign by being thought as the parts that make up the union republics, and therefore they could not obtain the right to leave the union. Other smaller nations, which were generally landlocked, had the status of 'autonomous *oblasts*' and 'autonomous *okrugs*' and did not even have the right to write their own constitutions and were left to enjoy lower-level privileges. The remaining regions, on the other hand, did not have any autonomy owing to the fact that they did not have an ethnically distinctive character, and were divided into three types of administrative federal units as '*oblast*', '*kray*' and 'federal city'. Care was taken to include this system in all constitutions of the Soviet Union, and the issue of jurisdictional differences among the nations that constituted the Soviet Union always had a legal basis. However, these differences did not remain only at the legal level. In direct proportion to the hierarchy between them, the units also had different political, economic, cultural and social privileges. Hereby, the asymmetrical structure of Soviet federalism was constructed. Structurally, this system has exactly been taken over by the Russian Federation;

but, there were some changes regarding the essence of the system during this handover. As discussed at length in Chapter 1.3, as Gorbachev's reforms weakened the Communist Party, the central organs of the party-state, which directly controlled the federal units, lost their power and the federated units found a wide range of action before them. The federated units, which previously had the habit of representing themselves in the central organs of the party, were mobilized by the worry that they would lose their representation as a result of the weakening of these organs. In this context, they wanted to turn their powers into *de jure* form, which they had used *de facto* in the organs of the party for seventy years, and attempted to claim sovereignty. This situation exacerbated because of the power struggle between Gorbachev and Yeltsin (Stepan, 2000, p. 141). Both actors, who wanted to gather supporters to dominate each other, promised Russia's subunits more autonomy; and this increased the area of maneuver in front of the federated units. Burgess (2008) also sees the source of asymmetric federalism in the neonatal Russian State mainly here: According to him, as a flag-bearer of the idea of Russia's secession from the USSR, Yeltsin's provocation of the autonomous federal units, especially the autonomous republics, to extract more sovereignty from the Soviets, later caused trouble to Russia (pp. 46-47). In the end Yeltsin won the struggle; however, he has found a federative structure composed of sub-units that had become stronger ever than during the Soviet Union period. Later, it was not possible to turn back from this way and especially the republics had to be given wide privileges. The Federal Treaty in 1992 and the bilateral treaties starting from 1994 are examples of this. These texts deepened the asymmetry inherited by the Russian Federation by equipping the republics, which already have large jurisdictions, with even broader and special powers. As DeBardeleben (1997) stated, this created a form of *ad hoc* federalism (p. 48). Although Putin's reforms tried to reduce this asymmetry and are partially successful in this, it will not be possible to say that the asymmetry has disappeared as long as the federal structure established by the Soviet Union is preserved. However, it does not seem possible for now to make such a major reform. Even today, republics enjoy the highest degree of autonomy in almost all spheres of life; hence, one who talks about regional autonomies must make a

clear distinction as republics and others (DeBardeleben, p. 52). In that case, asymmetry is regarded as one of the most characteristic features of the federation as it has become an inseparable part of the federation. According to Ross (2003), there are three types of asymmetry in federal states: *socioeconomic*, *political* and *constitutional*. Signs of the first two of these can be found in many federations, including symmetrical federations¹⁷³. However, the third is not very common. The Russian Federation is one of the rare instances where all three are seen at a fairly high rate (Ross, pp. 7-8).

2.3.3.1 Socio-economic Asymmetry

Considering factors such as the population of the Russian Federation, its wide geography and the number of federated units inside it, it is not surprising that it contains large-scale *socioeconomic asymmetry*. This is not surprising, especially in a country where some federal subjects are strong enough to challenge the federal center. In accordance with the spirit of its extreme asymmetry, the Russian Federation harbors an enormous socioeconomic imbalance and inequality among its regions. *First*, Russia's 85 federal subjects differ greatly in population and geographic size. According to the information of few years ago given by Ross (2003), "the republic of Sakha has a territory which is 388 times the size of the republic of North Ossetia" and "the population of Moscow (8.5 million at that time) is 443 times greater than that of the sparsely populated Evenki Autonomous Okrug" (p. 8).

The *second* difference is related with the economic inequalities of federal subjects. Data such as the industrial development of the regions, economic and human development indexes, per capita income and unemployment rates are directly related to this issue, and in the light of these, it would not be wrong to say that there is a gap between Russia's regions. According to Filippov and Shvetsova

¹⁷³ In particular, socioeconomic asymmetry is found even in the United States, which is one of the world's most constitutionally symmetrical federations. For example, California is more than sixty times greater than Wyoming's in terms of population and economic size (Stepan, 2000, p. 142).

(1999), this gap is a Soviet legacy in accordance with path dependency theory¹⁷⁴, and was created by the unequal allocation of resources and funds between regions in the planned Soviet economy¹⁷⁵ (p. 62). In other words, despite the Soviet propaganda for equality, the socioeconomic inequality between the regions took root in the Soviet Union period, and the young Russian Federation, which found this inequality in its arms, was obliged to adopt asymmetric practices in order to respond to the differing economic needs of the regions. According to Lapidus (1999), this asymmetry increased in the 1990s: According to him, the ‘redistributive capacity’ of the RF, which is more limited than the USSR, is the main reason for this (p. 81). Likewise, Sakwa (2008) said that the inequality in question became more severe in the 1990s, which are considered to be the transformation years of the Russian economy: As detailed in Chapter 2.2.1, regions that have natural

¹⁷⁴ According to this theory, the practices of federalism and the reform process of the Soviet Federation in its last years caused the Russian Federation, which established as its successor, to follow the path of asymmetry and bilateral bargaining in federal relations. For further details, see Filippov and Shvetsova (1999).

¹⁷⁵ The Soviet planned economy, which considers the socioeconomic development of the regions less important than the national economic targets, has placed the industrial organizations, which it considers important for the national economy, in some selected regions. The economy in these regions was based entirely on the existence of these facilities and the regions had become mono-industrial. However, these facilities were generally unprofitable and operated by transferring resources and funds from the center only in order to achieve national economic goals. This situation made these regions, whose economies were dependent on the existence of these facilities and did not have any other source of income, dependent on the subsidies from the center and prevented regional development. The Soviet resource transfer method worked as an equalization mechanism for years and aimed to soften the inequality between regions as much as possible. According to this logic, at first taxes collected from the regions were collected in the federal budget. However, the majority of the amount collected in the federal budget was made up of income from donor regions. Subsequently, the regions were allocated funds from the federal budget so that most of the revenues collected from the donor regions were provided to be transferred to the mono-industrial regions in need of subsidies. However, regions dependent on subsidies did not receive most of the financial support they received from the center in direct ways. These regions were mostly subsidized through indirect means such as direct financial assistance to facilities located in these regions, purchase guarantees and artificial pricing. As the planned socialist economy began to give way to the competitive market through reforms in the 1980s, these technologically outdated and unprofitable facilities ceased to function. In addition, the Soviet resource transfer method, which was based on subsidizing mono-industrial regions indirectly, stopped working because it was against liberal economic policies. Moreover, it became difficult for the federal center to take money from donor regions due to the democratization pillar of the reform. The regions, which for decades had received most of the federal transfers through these facilities and owed these transfers to the money the federal center received from the donor regions, were unable to receive the subsidies they needed and became poorer compared to other regions, as long as these facilities did not function and the authority of the Soviets to allocate resources weakened. Thus, deprived regions of the young Russian Federation had born. More than fifty regions were in this situation according to the 1993 budget. See Filippov and Shvetsova (1999).

resources such as natural gas and oil (i.e. Tyumen) or dominate Russia's financial and commercial cities opening to the world economy (i.e. Moscow) developed economically by taking the lion's share of reforms; others, which mainly produce agricultural products, lagged behind (p. 264). Hanson (1996) also agreed with this view and named these two types of economically developed regions as 'winners' (as cited in Filippov and Shvetsova, pp.65-66). This increasingly economic difference between winners and losers formed the basis of the socioeconomic asymmetry inherent in the Russian Federation (Sakwa, p. 264). For instance, "in the mid-1990s the level of per capita income in the oil rich Yamal-Nenets Autonomous Okrug was 178 times greater than in the republic of Ingushetia" and in conformity with the first "the volume of gross regional products per capita in Yamal-Nenets is 36 times higher than in Ingushetia" (Ross, p. 10). To give another example, according to the statistics in 1999, the unemployment rate in Moscow was around 5 percent, while in poor Ingushetia it was over 50 percent (Ross, p. 10) and in keeping with this the "gross regional product varied from 362.5 billion rubles in Moscow to 1.1 billion rubles in Ingushetia" in the same year (Ross, p. 76). This is not the problem of only Ingushetia, which suffered an influx of refugees during the Chechen-Russian war. On the contrary, it reveals the socioeconomic inequality that has spread throughout the vast Russian geography through an extreme example. According to Ross (2003), this inequality is so great that in 1998-99 the tax collected from only 10 regions of Russia was almost two thirds of the total tax collected in the federal budget. Almost half of this two thirds ratio comes from the city of Moscow. In other words, the city of Moscow alone collects close to a third of the taxes collected in Russia (p. 76). The numbers Filippov and Shvetsova (1999) cited for 1997 are also compatible with these data¹⁷⁶ (p. 65). This shows that in the aforementioned years the Russian Federation had a socioeconomic status consisting of 10 enriched federal subjects on the one hand and 79 regions on the other hand, which were unable to sidle up to the others on the matter of wealth and were in need

¹⁷⁶ As cited in Filippov and Shvetsova (1999), these 10 regions are composed of Moscow City, Khanty-Mansy AOk, Moscow oblast, Yamal-Nenets AOk, St. Petersburg, Samara oblast, Sverdlovsk oblast, Tatarstan, Perm and Bashkortostan.

of subsidies from the federal budget, some of whom were in great poverty. In fact, in 1999, in each of these 79 regions at least a quarter of the population lived below the minimum subsistence level (Ross, p. 79). To give more examples, unemployment in the deprived regions of Dagestan and North Ossetia in the North Caucasus was over thirty percent in the same years¹⁷⁷ (Ross, p. 78).

As mentioned before, socioeconomic asymmetry is a feature that can be observed in even the world's most symmetrical federations; however, such an inequality is not easily encountered. Large-scale socio-economic inequalities are also seen in symmetrical federations such as Germany and the USA; however, in these federations it is not possible to see such an exaggerated asymmetry, where one city in the country is rich enough to make up one third of the total tax incomes, while another region in the same country is struggling with unemployment of up to 50 percent. Hanson's (1996) statements also support this argument: According to him, the difference between the development levels of federated units in Russia is much more apparent than the difference between the levels of development of countries that are members of the European Union (as cited in Ross, p. 75).

Accordingly, the *third* difference is related to the reflection of all these figures on the lives of citizens living in different regions. In other words, economic inequality spread throughout the country directly affects the living standards of citizens living in different regions. Hence, Russia is a federation with a very large difference in welfare among its citizens, in accordance with the economic conditions of the regions they live in. To continue with the extreme examples related to Ingushetia which was given by Ross (2003), "in 1999 monthly expenditure per capita in the resource-rich Yamal-Nenets AOk was twice the national average and seventeen times that of poverty stricken Ingushetia" (p. 77). To give another, "average income per capita in the city of Moscow was four times the national average and fifteen times greater than in Ingushetia" (p. 77). Looking at these examples, it is suited to say that while citizens in some regions of Russia reach a good standard of living in terms of their average per capita income and

¹⁷⁷ For further statistics see Ross.

purchasing power, citizens in some regions live in an absolute poverty. Any other example except Ingushetia, which is an extreme one, will confirm this as well: For example, “the average monthly wage in the oil rich Khanty-Mansi AOk in 2000 was four times the national average, and 10.4 times higher than in the Republic of Dagestan” (as cited in Ross, p.78). Such a serious difference cannot be observed in German *Länder* or American states.

The *fourth* difference is related to the economic concessions that some selected regions receive from the center in proportion to their bargaining power¹⁷⁸. As told by Sakwa (2008), it was mostly through bilateral treaties (p. 263), which further widens the gap between the ‘winners’ and the ‘losers’ and increased the socioeconomic asymmetry embedded in the *Federatsiya*. It also undermined the fiscal federalism of Russia (p. 42). These economic concessions generally cover budgetary issues, and, according to Sakwa (2008), asymmetry in federal relations is most pronounced in budgetary issues (p. 263). For example, in the pre-Putin era, thanks to their bargaining power against the federal center, some donor regions achieved special tax concessions, such as holding more taxes in their regions and transferring less tax revenue to the federal center compare to other regions¹⁷⁹. Likewise, in accordance with their needs, some poor regions and due to their political privileges, some donor regions have been entitled to take more subsidies from the federal government than other regions¹⁸⁰. In addition, the bilateral agreements have granted greater rights to some regions at the point of control of their natural resources. All this demonstrates the enormous socio-economic inequality between Russia’s regions, which means that Russian citizens cannot have

¹⁷⁸ This situation will also be discussed below as it is the result of political asymmetry as well.

¹⁷⁹ I.e. In 2000, “Tatarstan payed 22.4 per cent of the taxes collected in its territory to the federal budget, whereas the average contribution from Russian regions is 71.4 per cent” (Ross, p. 88).

¹⁸⁰ Regions benefited from subsidies and transfers from the federal center at very different rates, and these rates varied widely, ranging from one percent to ninety percent of the regional budgets. More specifically, while some recipient regions – such as the republics of Dagestan, Ingushetia, Tuva and Kabardino-Balkaria; Jewish Autonomous Oblast – received subsidies from the federal center as large as ninety percent of their budget, some donor regions – such as the republics of Bashkortostan, Komi and Tatarstan; Lipetsk, Moscow, Samara and Sverdlovsk Oblasts; the cities of St Petersburg and Moscow; Krasnoyarsk and Perm Krai; Khanty-Mansi and Yamal-Nenets AOk’s – took little subsidies or no money transfer and support from the federal center (Ross, p. 82). However, some politically strong donor regions have also been found to have the privilege of receiving high rates of subsidies.

equal opportunities all over the country, which is against the principle of equality of the constitution. Although Putin's reforms have been successful in centralizing the economic system and strengthening the fiscal authority of the center by taking back most of the economic concessions made to the regions¹⁸¹, it cannot be said that these reforms are able to eliminate the socioeconomic differences between Russia's regions. On the contrary, socio-economic differences between Russia's regions continue to increase day by day¹⁸² and therefore socioeconomic asymmetry is still alive today in Putin's Russia.

2.3.3.2 Political Asymmetry

One of the most important details regarding socioeconomic asymmetry is the domino effect it creates. As detailed above, socioeconomic asymmetry refers to the economic differentiation of regions within the same country and income inequality between regions. Accordingly, while some regions became rich by having large economic resources, some regions in deprivation of these resources are relatively backward. The enriched regions transfer substantial resources to the federal center and become a kind of 'donor region' for other regions. Donor regions do not need a subsidy from the center. Accordingly, they receive little or no federal transfers. Today, the number of these regions varies between ten and twenty-five according to different sources¹⁸³. Poor regions, on the other hand, become 'recipient' and rely on federal center subsidies to survive, let alone transfer resources to the federal center. The tax that recipient regions transfer to the federal budget is far below the financial support they receive from the federal budget. These

¹⁸¹ "From 2001 the republics have begun to transfer a far greater share of their taxes to the federal government": To give an example, the republic of Bashkortostan started to transfer half of the taxes collected in the republic to the center. Few years ago, it sent nearly one fifth of its tax revenue (Ross, p. 88).

¹⁸² "In a report to the State Council Krasnoyarsk governor Alexander Khloponin reported that the gap between regions in terms of per capita GDP, by which the figure for the richest regions was 64 times that for the poorest in 2000, approached a factor of 300 in 2005" (Sakwa, p. 275).

¹⁸³ Ross (2003) asserted that the number is thirteen in 1999 including such as St Petersburg and Moscow cities; Moscow, Irkutsk, Lipetsk, Samara and Sverdlovsk oblasts; republics of Bashkortostan and Tatarstan; Khanty-Mansi and Yamal-Nenets AOk's, and Krasnoyarsk and Perm Krai (p. 83). Filippov and Shvetsova (1999) also mention almost the same numbers and regions in 1997-98 (p. 65). However, Lavrov claimed that it was around twenty-five in 1999 (as cited in Sakwa, p.264).

are often found in remote corners such as the North Caucasus, Eastern Siberia, and the Far East¹⁸⁴ (Ross, p. 84).

This is naturally reflected in the political power of the regional elites who dominate these regions. The ruling elites of the regions that have prospered and become financially independent from the federal center become as strong as possible vis-à-vis the federal center, increase their bargaining power, and can ask many demands from the center. As Sakwa (2008) said, “some regions have access to world markets through the sale of energy, raw materials or basic finished industrial goods, giving them an independent resource in the federal bargaining game” (p. 265). So much so that, based on this political power, some republics among these regions by making separatist demands challenged the authority of the center. As for the poor regions that are economically dependent on the federal center, they do not have such a power and have very weak hands at the bargaining game with the federal center. Thus, a significant disparity occurs between the political powers of the regions. This is called *political asymmetry* in the literature, and this is exactly what happened in the Russian Federation. This view, which is predominantly adopted by researchers such as Ross and Sakwa, is accepted by most researchers who have studied the federal structure of Russia. DeBardleben (1997) is one of them. According to her, the whole equation is based on the haves and the have-nots. Regions with rich natural resources or other important economic tools have an advantage, while regions dependent on subsidies are in a weak position (p. 52).

Apart from socioeconomic effects, another factor that creates political asymmetry in Russia is ethnic separatism. Some ethno-national federal subjects, notably the republics¹⁸⁵, host ethnic unrest, strong regional opposition or political separatist movements based on their ethnic differences. This situation enables the regions in question to receive concessions from the federal center that guarantee their economic and political benefits in return for the relief of these demands, and

¹⁸⁴ Such as the republics of Dagestan, Ingushetia and Tuva; the Chukotka AOk and Yevreiskaya (Jewish) AO.

¹⁸⁵ Such as Tatarstan, Bashkortostan, Sakha, Kabardino-Balkaria, North Ossetia and Chuvashia.

makes the rebel regions politically strong against Moscow as they threaten the federal system¹⁸⁶. As for the loyal regions that do not host ethnic separatism do not have such a bargaining power¹⁸⁷.

Throughout his rule, Yeltsin paid attention to this two-factor political imbalance equation and prioritized economically strong and troublemaker regions both in the allocation of the federal budget and in the agreements with the regions. Bilateral agreements with 46 regions can be given as an example in this context. In this way, Yeltsin both ensured the support of these units for the elections and suppressed potential opposition movements, ethnic unrest and excessive demands for political autonomy in these units (Ross, p. 85). In return, he have granted special privileges to these regions: Regions with higher bargaining power and political advantages¹⁸⁸ compared to other regions, were endowed with economic and social privileges such as holding higher tax revenues for themselves, receiving more subsidies from the federal budget, and controlling their natural resources (Ross, p. 86). Often the economic concessions that are the result of these agreements are the result of political asymmetry. However, bilateral agreements did not only give economic concessions to politically powerful regions; it also offered these regions political privileges, such as appointing federal officials in their regions and managing their relations with foreign countries independently. Thus, political asymmetry gave rise to more political privilege and deepened the political asymmetry that already exists. In Ross's words (2003), those who are loyal but poor were punished; those who are rich or dissent and troubled were rewarded (p. 85). For example, the rich Tatarstan, Bashkortostan, Sakha, and the ethnically troubled Kabardino-Balkaria, North Ossetia and Chuvashia won special and privileged deals, while the poor and loyal Tuva were deprived of such privileges (Ross, p. 85). Scholars like Kempton, Triesman and Lavrov also agree with Ross on this issue. Triesman argued that strong regional leaders were wanted to be appeased, especially through budgetary transfers. According to him, transfer payments were

¹⁸⁶ In fact, the more confederalist a unit is, the more likely it is to make concessions from Moscow (Ross, p. 87).

¹⁸⁷ I.e. Tuva.

¹⁸⁸ I.e. Tatarstan, Bashkortostan and Sakha.

instrumentalized by the federal center and served for political purposes. High subsidies were given to stubborn regions, while obedient regions did not receive large transfer payments. This is an indication that under Yeltsin, budget payments were seen as a some form of bribe given to stubborn and rebellious regions for obedience, rather than a reward given for loyal regions (as cited in Sakwa, p.263; Ross, p.85). As for the poor regions that depend on the center for subsidies, regardless of their political attitude, they already have to keep good relations with the Kremlin in order to guarantee the flow of resources (Sakwa, p. 264). Lavrov, on the other hand, through thinking that budgetary transfers were only one dimension of the relationship between the center and the regions, emphasized the political privileges granted to the insurgent regions rather than economic privileges and stated that the units that objected to the 1993 Constitution gained more gains in the following period compared to the units supported this constitution (as cited in Ross, p. 85). It can never be said that Putin also ignored this balance of power, even though he had undone most of the economic and political concessions made as a result of political asymmetry.

Depending on the chapter described so far, there are two more dimensions of political asymmetry in Russia. The *first* of these concerns the over-representation of some regions in the parliament. According to Ross (2003), each federated unit in Russia has an equal number of representatives in the Federation Council, which is the upper chamber of the parliament, regardless of their population. However, there are huge population differences between Russia's regions (p. 33). This situation causes over-representation of some regions and under-representation of others¹⁸⁹. The *second* is related to the absence of institutionalized institutions and national political parties that were active throughout Russia during the chaotic period until Putin's reforms¹⁹⁰. In such turbulent years, when there was a significant power gap in the center, the absence of these parties prevented unifying national and common problems from dominating Russian politics; and led to the inclusion of a large

¹⁸⁹ For instance, "Moscow city and the Evenki Autonomous Okrug (AOk) both have two 'senators' even although Moscow's population is 443 times larger than that of Evenki" (Ross, p. 33).

¹⁹⁰ For details on the question of why national parties could not be formed in Russia, see Ross.

number of inchoate local parties and political movements with their own local, ethnic and cultural agendas in regional politics. However, the very low level of party affiliation towards these weakly institutionalized and federalized political organizations throughout the country¹⁹¹ during the decade of chaos, enabled the local Russian politics to be dominated by non-party local leaders, bureaucrats and business / industrial elites, both in the legislative and executive levels. The absence of strong institutionalized parties in the regions has intensified the clientalistic and corporatist nature of politics in Russia (Ross, p. 113). These local powers, far from national control and taking advantage of the power vacuum created by unorganized local politics, indirectly or directly controlled many organizations such as the local media, courts and local election commissions (Ross, p. 105) and built different political systems in their regions. These political systems include various political regimes from parliamentary to presidential, different electoral systems from proportional to majoritarian or mixed systems, and various parliamentary structures from unicameral to bicameral¹⁹². Across the federation we could soon detect a political spectrum running from partial democratization at one end to delegative democracies and outright dictatorships at the other (Ross, p. 35). Going beyond that, some local leaders have almost established their own fiefdoms in their regions, using their strong positions before Moscow. Thus, the Russian Federation has become somewhat like a 'loose federation' in which states, autonomies and regions with different local agendas, political conflicts, electoral systems, legislations and even regimes were clustered. Although this unusual political diversity, as the main

¹⁹¹ For further details of party affiliation in Russia, see Ross.

¹⁹² This is why local elites who dominate the regions build different political systems: In some regions - such as Altai Kray, Pskov Oblast and the Republic of Karelia- these local elites by predominantly emerging from within the parliament, or the elites in the local parliament by overwhelming the local executive; ensured the preponderance of the legislature to the executive in the aforementioned regions, and the dominance of parliamentary political systems that made the parliament advantageous. In some regions - such as Kursk and Astrakhan Oblasts - the opposite has happened; the local leaders of the executive branch dominated the region, and ensured that presidential political systems prioritizing the executive branch were built. In this respect, the new systems have determined the powers of the parliaments against the executive, in a way it vary greatly from region to region. Within this loose structure, many different regulations have emerged that determine the duties and powers of the legislative and executive powers towards each other in different regions: While in some regions the executive forces were able to almost anything, in some regions the parliaments remained effective (Ross, p. 124).

target of Putin's reforms, has been minimized today with the establishment of United Russia, a catch all party; it is still possible to say that some regions continue to show political diversity even today, although in a more limited spectrum. Likewise, it would not be wrong to state that although the political asymmetry between regions is reduced in line with Putin's strategy of weakening the republics, some regions are still treated separately and are politically more advantageous. In that case, "political asymmetry refers to the inequalities of representation and political status which federal subjects gain either from their socio-economic status or which they may develop from more overtly political factors such as patron–client relations" (Ross, p. 10) and it is still prevalent in today's Russia even though reduced by the reforms of Putin.

2.3.3.3 Constitutional Asymmetry

However, the domino effect does not end with the formation of political asymmetry. In the long run, political asymmetry leads to the differentiation of the powers that the regions have obtained from the federal center. Donor and rebel regions receive more concessions from the federal government and have greater powers as a result of bargaining, while subsidized and loyal regions cannot take any concessions and are given relatively smaller powers because of the fact that they do not have such a bargaining power. This differentiation in jurisdiction and authorization starts to take place in the written texts that constitute the federation over time. If this text is a constitution, and if the asymmetric division of power between the federal center and the federal subjects and the differences in authority and status between federal subjects are clearly and transparently arranged in the constitution, then a *constitutionally embedded asymmetry* has been formed there. In short, constitutional asymmetry "refers to constitutionally embedded differences between the legal status and prerogatives of different subunits within the same federation" (Stepan, 2000, p. 142) and the Russian Federation is one of the rare federations to have it on a large scale. As mentioned earlier, Russia's republics have a higher status and are equipped with greater powers than Russia's *oblasts*, *krais*, federal cities, autonomous *oblast*, and autonomous *okrugs*. Despite the existence of

the fifth article of the Constitution of the Russian Federation of 1993 stating that all federated units are equal; this situation can be clearly observed in other articles of the same constitution that define republics as states and equip them with the right to have their own constitution, official language, flags and anthems. Consequently, constitutional asymmetry is certain to exist in Russia.

Nevertheless, in some cases such regulations also require the creation of written texts other than the federal constitution. This generates two types of asymmetry, which Stepan (2000) describes as *extra constitutionally* or *aconstitutionally negotiated* and *anti-constitutionally exercised*, and since the Russian Federation also provides examples of these, it becomes a unique asymmetry (pp. 141-146). *Aconstitutional asymmetry* refers to the asymmetry in texts prepared in an extraconstitutional way by not being discussed in democratic channels. The foundation for this in Russia is based on 46 aconstitutional bilateral agreements signed between the years 1994-98. These agreements were prepared as a result of negotiations between the President of Russia of the time and the heads of the federal units of the time and were not submitted to the approval of the Russian Parliament. In other words, the executive powers of the center and sub-units dominated the process and the agreements were signed without the knowledge of the public and the legislature. Therefore, the process leading to these agreements was absolutely not transparent and legitimate. Ross (2003) agreed with Stepan's view and said that these agreements were ratified by neither the Duma, the Federation Council¹⁹³, nor the regional parliaments. These were agreements prepared entirely at the initiative of the executive power and signed by the president or prime minister of RF and the regional chief administrators (regional presidents or governors) (p. 46). It will be because of this that most of these agreements by containing provisions, phrases and annexes that are contrary to the Constitution of the Russian Federation, undermined the federal constitution, which is the foundation of the federation, and harmed the principle of rule of law. Perhaps for the same reason, these agreements were full of special privileges and exemptions

¹⁹³ The two chambers of the Russian national parliament.

to certain regions that were party to the agreement. These privileges and exemptions were determined in negotiations between Yeltsin and the regional executives and varied according to the needs and political power of each unit. Whereas the rich, rebellious and powerful regions gained quite extensive rights¹⁹⁴, the relatively poor and dependent regions were obliged to more restrictive agreements¹⁹⁵. Ultimately, agreements emerged that were specially designed for each region that was a party to the agreement and that entrusted these regions with different authorities from each other. All these manifested that these private agreements were not made by following democratic norms and have extra constitutionally or aconstitutionally negotiated asymmetry. This asymmetry, which emerged in the texts prepared with *ad hoc* negotiations excluding the constitution, increased the constitutional asymmetry and made it more complicated by increasing the status and jurisdiction differences determined by the constitution for the regions.

Anti-constitutional asymmetry, on the other hand, is related to the contradictions between the Constitution of the Russian Federation and the constitution and charters of Russia's federated units. As mentioned earlier, the constitution or charters of most of the 85 federal subjects in Russia contain numerous provisions contrary to the Constitution of the Russian Federation. These provisions, by being declared unilaterally by the regions, granting regions many prerogatives that the 1993 Constitution did not recognize and differentiate the regions even more at the point of their privileges. Furthermore, many bilateral agreements legitimized the unconstitutional powers of the regions. Thus, an anti-constitutionally exercised asymmetry has arisen. According to Stepan (2000), the roots of anti-constitutional asymmetry has its origins in the period of 'parade of sovereignties' (p. 141). As will be remembered, during the conflict between Yeltsin and Gorbachev, while the union republics were preparing to declare their independence one by one, Yeltsin, who wanted to increase internal support for the idea of the independence of Russia from the USSR, called out to the subunits of the RSFSR as 'swallow as much sovereignty as you can' and created a sequence of

¹⁹⁴ I.e. Tatarstan, Bashkortostan, Sakha, Sverdlovsk and Samara Oblasts etc.

¹⁹⁵ I.e. Saratov Oblast.

declaring sovereignty in the USSR that also mobilized the subunits of RSFSR, what called as ‘parade of sovereignties’ in the literature. This sequence caused the subunits of Russia to become more autonomous while Russia became independent. These units, whose autonomy increased even more, created a kind of “parade of autonomous constitutions” during the independence phase of Russia (p. 141) and started to write autonomous constitutions that take minimum or no consideration of the RF Constitution and federal laws. This situation in time went as far as to the degree that Kahn called “legal separatism” (as cited in Stepan, p.141), and gave rise to anti-constitutional asymmetry. This approach of Kahn has been approved by Sakwa and, as will be remembered, conceptualized as segmented regionalism. In summary, the existence of such texts that overlap and contradict each other has triggered all forms of constitutional asymmetry in the Russian Federation to such an extent that it is unlikely to be seen in other democratic federations of the world. So much so that the laws of the center could not be implemented in the regions until the 2000s, and the national market could not be established. This ‘stateness’ problem has been the direct target of Putin’s reforms and has been receded in the last two decades. However, even today it cannot be said that the constitutions and the charters of the regions were fully synchronized with the Russian Constitution. Besides, although bilateral treaties have been terminated, there are a few exceptions to this. Likewise, the provisions in the Federal Constitution of Russia stating that Russia has different federal entities with different competences and powers has still remain in place. Thus, although constitutional asymmetry has been relatively weakened, it continues to live in Putin’s Russia and remains as one of the most distinctive features of the *Federatsiya*.

2.3.4 Hierarchical Stratification

The inequalities between the federated units that make up the federation also prove that there is a hierarchical delamination between these units. In this respect, one of the most distinctive features of the *Federatsiya* is that it consists of hierarchical layers. Within this context, Lynn and Novikov (1997) also mention the concept of “federal hierarchy” (p. 191). The *first* dimension of this stratification

arises from the status differences between nations and units. As stated earlier, the Russian Federation is a multinational federation with 182 recognized nationalities. However, there are no 182 ethno-national units within the federation. This shows that while some of these nationalities have ethno-national units known by their names, a significant amount of units do not have any specific units of their own. Nationalities that do not have any unit are made up of relatively small populated ethnic communities and interestingly ethnic Russians, who make up over 80 percent of the country's population, and the nationalities who have an independent country in the near abroad (i.e. Ukrainians, third biggest nationality in Russia) or in the far abroad (i.e. Germans) (Sakwa, p. 241). This situation creates a status difference between 'haves' (national autonomies) and 'have-nots' (ordinary regions) from the first moment and constitutes the first of the hierarchical layers.

However, it went beyond that and status differences were built also between 'haves' (in between the national autonomies themselves). The existence of different units such as the republic, the autonomous *oblast* and the *okrug* meant this and led to the formation of more advanced layers. While some ethnic communities were accepted as nations and had republics with statehood, some ethnic communities were deprived of the title of 'nation' and endowed only with autonomous *oblasts* and *okrugs* with partial autonomy.

Taken with a holistic approach, this hierarchy has been categorized in different ways by the scholars. Some of the scholars, by making a distinction between republics vs others, put the republics at the top of the hierarchy and separate them from others, because of their high privileges. According to this point of view, the units other than the republics are not very different from each other and constitute the lower layers of the hierarchy. Some other scholars endorsed a classification such as ethno-nationals vs territorial-federals, and placed ethnic federated units, especially republics, at the top of the hierarchy, due to their privileges arising from their ethnic differences, and then ranked territorial units. Ross (2003) is one of the researchers who seemed closer to this view and stated that the autonomous *oblasts* and *okrugs* appear to be more equal units than *oblasts* and *krais* (pp. 58-59). As for some researchers like Sakwa (2008), they created a

taxonomy in the form of ‘primary units’ that are only inferior to the Russian Federation vs ‘secondary units’ subordinated to formers; and evaluated the republics, *oblasts* and *krais* as primary units, and the autonomous *oblasts* and *okrugs*, which are generally subordinate to *oblasts* and *krais*, as secondary ones (p. 238). In my opinion, it is best to mention *three* layers that compose the federation in today’s Russia. The *foremost* are undoubtedly the republics. The few remaining national autonomies should come after the republics: These entities, which have partial cultural autonomy unlike the *oblasts* and *krais* and, most importantly, which defy Putin’s attempts to merge themselves with their host-regions, by being financially independent from the *oblasts* and *krais* they are subordinated thanks to the economic power given by their natural resources, should be regarded as the *second* tier. The *third* is territorial-federal units that do not have any autonomy¹⁹⁶. As can be seen, there are various opinions about the order in which the layers of this hierarchy are formed; however, whatever cascading is done, what is certain is that there is a hierarchy between these units.

The *second* dimension of the stratification was realized with the establishment of huge federal districts placed between these units and the center. Thus, with Putin’s reforms, another interface was added to the already multi-layered federal structure and the hierarchy immanent in the *Federatsiya* was further increased.

2.3.5 Holding-Together Federalism

While drawing the portrait of the *Federatsiya*, the most difficult detail to be reflected in the painting is the part about how this federation was established. If we go through the conceptualization of Riker and Stepan, is this federation a coming-together, holding together or putting together? First of all, it does not seem possible to say that the Russian Federation is a putting-together federation like its predecessor USSR. Following the collapse of the Soviets, the Russian army did not use coercive power over any previously independent entity to put together a

¹⁹⁶ The Federal Agreement of 1992 reflects a similar federal hierarchy.

multinational state¹⁹⁷. On the other hand, it can be claimed that Russia is a coming together federation based on the Federal Agreement between Moscow and its federal subunits. Although this is understandable, in this case it would not be correct to say that previously independent or sovereign states voluntarily came together and formed a from-below federation to establish a stronger state structure. First of all, in this case there was already a federal state on the ground, so it cannot be said that a federation was created out of nothing as in coming-together federations. In addition, the federated entities that signed the 1992 Federal Agreement were decades-old subunits of the RSFSR, whose name changed to the Russian Federation only a few months before that agreement. Therefore, they were not independent. Moreover, considering that only the union republics were sovereign according to the Soviet Constitution, it cannot even be said that the ethno-national and territorial units that will form the Russian Federation were sovereign at that time. On the other hand, some units that have expressed their intention to leave the RSFSR even before the dissolution of the USSR cannot be expected to voluntarily form a new federal Russian State. The only reason for these units to be in the new regime was necessity¹⁹⁸. As will be remembered, “Russia was a multinational state that had come into being over the centuries, and thus membership was not a matter of choice or based on a voluntary contract” (Sakwa, p. 250). The Federal Agreement followed this trend and did not grant republics the right to leave the new regime, which is the Russian Federation. In order for a unit to have the right to leave a state, it must have joined that state with its own free will. The right to secede is not granted to a subunit that is already within the state. Likewise, there is also no option presented to such a unit to join the state or not. This is a clear indication that Russia’s subunits did not come together voluntarily. Considering that the subunits in question were non-sovereign members of the pre-existing Russian State (RSFSR), it is out of question that these units voluntarily join the new regime¹⁹⁹. Thus, although the Federal

¹⁹⁷ The only exception to this is the war with Chechnya, but Chechnya had always been a part of the RSFSR during the USSR and its unilateral independence of the time was controversial.

¹⁹⁸ Not the new state because RF is a continuation of the RSFSR.

¹⁹⁹ Tatarstan, Tuva and Chechen-Ingushetia had never formally signed to join the RSFSR or the USSR, and ... they would not be given the option of choosing to enter the Russian Federation as signatories of a new treaty (Sakwa, p. 250).

Agreement creates the impression that the units came together voluntarily, the opposite is the case. This text is intended to determine the new federal form of the state and its already affiliated units, and it is not a contract that brings together the units. Therefore, in the case of Russia, previously independent or sovereign states did not come together on a voluntary basis to form a federal state that did not exist before, on the contrary, the existing federal state was held together with new federal regulations and evolved into a new regime. In this respect, the Russian Federation is more like a *holding-together federation*, and it is in line with the basic features that Stepan emphasized in defining holding-together federations in his works called *Federalism and Democracy: Beyond the U.S. Model* (1999) and *Russian Federalism in Comparative Perspective* (2000).

As detailed earlier, the USSR, although formally a federation, actually operated like a multi-national unitary state due to its over-centralized party structure. The multinational Russian State, built on the wreckage of the USSR, lacks a similar centripetal force. By being aware of this, Russian leaders realized that it is no longer possible to hold this diversity together in a unitary-like structure as in the USSR, and they had tough debates on the new federal system to be established. These discussions came to a conclusion a few months after the USSR went out of existence from the stage of history, and the country was held together by signing the Federal Agreement establishing the new system. For this, the transfer of some powers, which expected to be in the jurisdiction of the center, to subunits was allowed. The control of natural resources by the regions and the competence of the regions to do foreign trade are examples of these. Thus, an attempt was made to establish a genuine multinational federation that adopts the principles of *shared-rule* and *self-rule* over the remnants of a *de facto* unitary state despite being officially federal, and the unitary functioning was wanted to be federalized. Moreover, contrary to the extraconstitutional and nondemocratic nature of the bilateral agreements of 1994-98, this agreement is a democratic and consensual text and belongs to the parliament. It “was signed ... by the head of the Supreme Soviet of the Russian Federation” and “subsequently ratified by the Supreme Soviet of the Russian Federation” (DeBardeleben, p. 38) and it was also ratified in the sixth

session of the Congress of People's Deputies (CPD) of Russia (Sakwa, p. 250), which was the supreme governing institution of Russia until 1993²⁰⁰.

The section described so far completely overlaps with Stepan's conceptualization of holding-together. However, the main feature that makes the Russian Federation compatible with these federations is different: According to Burgess (2008) and many others, it is undoubtedly the fear of division and the possibility of collapse that drove Russia from a unitary legacy to a genuine federation. After the collapse of the Soviet Union, there was no external threat to Russia. But the real threat came from within, and some rebellious republics and regions did not want to continue to live under Moscow's rule. This is why some of them hastily and unilaterally declared their sovereignty while the Soviets collapsed. As such, just as the union republics, which were the constituent elements of the USSR, seceded from the Soviet federation one by one, the possibility arose for the autonomous republics within Russia to leave the newly established Russian Federation. This means that the Russian Federation may share the same fate as its predecessor, the USSR. The fact that the national and local elites of the country entered into federal negotiations immediately after the independence of the Russian Federation and consequently signed the Federal Agreement is precisely done to prevent this bad fate from happening. Sakwa (2008) also shares this view: In the words of him, "the Russian leadership from 1990 sought to prevent the 'Balkanization' of Russia" and "the central question was to define a new relationship between the many peoples of Russia and the state (pp. 243-244). Indeed, the Federal Agreement has emerged precisely as a result of this need: Its aim was to ensure that the autonomous regions remain within the Russian Federation in return for greater autonomy and to prevent ethnic separatist movements and especially the rising national sentiment in the republics from breaking up the newly independent Russian Federation. Thanks to this agreement, this goal was achieved to a great extent, the secession of federated units and the division of the country was prevented. The bilateral agreements, which started to

²⁰⁰ The Supreme Soviet elected by the CPD, what means that the Supreme Soviet was kind of an agency of it.

be signed two years after the Federal Agreement, served the same purpose and were prepared with the same secession concern. As such, the way that the Russian Federation founded “corresponds to Alfred Stepan’s notion of ‘holding-together federalism’ whereby ‘threatened polities’ are transformed into federations” (Burgess, p. 36).

The federal constitution, which came into force one and a half years after the Federal Agreement, left no doubt that the Russian Federation is a holding-together federalism. As will be remembered, one of the most distinctive features of such federations is that they came into being as a result of a top-down constitutional amendment. In federations born through bottom-up bargaining processes, federated units generally have wider powers. As for the federations formed through top-down bargains aim at a more centralized federation in which the powers of the central government are wider, since the center plays a more effective role during the formation of the federative structure. Accordingly, the federated units that make up the federation have relatively weak powers. The 1993 Constitution provided exactly that in Russia. This constitution was a top-down imposed text, symbolizing Yeltsin’s victory over the legislatures. As Ross (2003) recounts, under Article 71 of this presidential constitution, a wide range of economic and political powers are left to the jurisdiction of the federal government. Article 72 of the same constitution regulates the common jurisdiction of the federal government and regions, and deals with the few important powers that fall outside the sole jurisdiction of the federal government in this section. Article 73 of the Constitution was created to regulate the jurisdiction of federated units, but did not specify any exclusive authority, and stated that these units only have residual powers²⁰¹ (p. 11). Moreover, the Federal Agreement, which formed the federation and gave great powers to the subunits, was not articulated in this constitution. Thus, the relatively broad powers obtained by the federated units through the Federal Agreement were partly rasped, and that weaker subunits and a top-down federalism was created. Although this structure was attempted to be returned to its pre-constitutional direction through bilateral

²⁰¹ Powers outside the exclusive jurisdiction of the federal government and the joint jurisdiction of the federal government and federated entities.

agreements, it was further strengthened under Putin's rule. Putin's reforms strengthened the aforementioned top-down structure by reducing the autonomy of ethno-national units, especially the republics, and by abolishing bilateral agreements that gave broad powers to these regions. With this aspect, the Russian Federation came into the form that has almost all the qualifications Stepan listed for holding-together federations. This situation reveals as an indisputable reality that the *Federatsiya* has a holding-together character.

2.3.6 Constitutional and Contractual Federalism

The question of whether the Russian Federation is constitutional or contractual is highly relevant with the section described above. This is because the stage of foundation a federation is determinative on the issue which of these two federalisms it will adopt. As can be understood from the section of this study described so far, the establishment of the Russian Federation is the story of the struggle between the regions that suppress for greater power and privileges and the federal center trying to provide the opposite. Both sides of this story have at times outperformed each other. Sometimes regions took advantage of the center's weaknesses and obtained gains that equip themselves with stronger prerogatives, such as the Federal Agreement and bilateral agreements²⁰². At times, the federal center took steps to increase its powers, as in the 1993 Constitution or Putin's reforms, sometimes by instrumentalizing the problems between the regions or by hitting the table with a powerful fist at times when it eliminated the problems it had experienced²⁰³.

To sum up, according to Khakimov's account, two types of perspective on federalism have developed in Russia: The *first* is "*constitutional-treaty*, when the

²⁰² The days when the Federal Agreement was born coincided with the period that the Russian Federation is in the fear of communal subversion and division and has a major state crisis. What regions had done has been to take advantage of this and turn it into an advantage. Likewise, the period before bilateral agreements symbolized Yeltsin's anxious days before the elections, and the regions did what they did before.

²⁰³ Yeltsin, who imposed his supremacy in the crisis with the legislature and reached the peak of his power, imposed the 1993 Constitution. Similarly, Putin, who came to power strongly and proved his age by bringing the Chechen problem to an end, embarked on reforms that undermined the privileges and rights of the regions.

center defines the course of all the processes and delegates powers to the regions” (as cited in Ross, p.45). From this point of view, the federation should have a top-down character. Since it is the founder of the federation, the dominant power of the federation should be regarded as the center and the center should be positioned above the ethno-federal units. The federal government should exercise strict control over the federated units and prevent these units from swallowing too much sovereignty; because the excessive autonomy of these units may cause the division of the country. Therefore, no special bilateral agreements should be made that treat federated units privileged, and the powers of these units should be determined in a constitutional way. Likewise, the constitutions of federated entities must be strictly compatible with the federal constitution. The *second*, “*treaty– constitutional*, when relations are constructed from below up through the voluntary delegation of powers from subjects to the center” (as cited in Ross, p.45). In particular, the rebellious republics such as Tatarstan and Bashkortostan are relentless defenders of this view. Pursuant to this view, a bottom-up federalism should be adopted. Federated units should come together voluntarily and transfer some of their powers upwards. The founders of the federation should be federated units rather than the center, and how the federation’s central institutions will operate should be determined by the federated units. The federal government should be under the control of federal subjects. Federated subjects should have wider powers, supreme sovereignty, and even right of nations to self-determination. Special bilateral agreements should be made with each of these units in order to regulate the relations of these units with the federal center. In addition, federated units should be free to make their own constitutions, and the federal constitution, unlike the other, should conform to the constitutions of the federated units.

Since its foundation, Russia has been swinging like a pendulum between these two views. According to some, Russia was established as a *treaty federation* in the first stage with the Federal Agreement. For some like Sakwa (2008), unlike the USSR, Russia has never been a treaty-based federation; this is why it did not give any of its units the option to join the federation, nor the right to secede (p. 250). The Federal Agreement did not create an exception in this regard, and the Russian

Federation, like the RSFSR, did not grant these rights to its sub-units. However, this agreement created a hybrid order between constitutional and treaty-based federalism, even according to Sakwa (2008), and was the cause of many complexities in the following years. The 1993 Constitution, on the other hand, is not the subject of any discussion. With the enactment of this constitution, the pendulum was unquestionably pulled towards *constitutional federalism*. For those who think that the Federal Agreement constitutes a treaty-based federation, this is exactly the reason why this agreement was not incorporated in the constitution. As for the years 1994-1998 were the years of *contractual federalism*. As will be remembered, these years have been recorded as a period in which Yeltsin acted pragmatically in politics and signed bilateral agreements with many republics and regions to guarantee his political position. With these agreements, the second opinion led by the republics became dominant and the pendulum was shifted towards treaty federalism with the signing of treaties prepared specifically for each unit. This subjectivity has created such a trend over time that many subjects have requested new agreements, either arguing that other subjects' deals are more profitable than their own agreements, or by finding their own agreements too restrictive²⁰⁴. According to Ross (2003), these agreement requests created an endless cycle of renegotiation and bargaining. This undermined the constitutional grounding of Russian federalism and turned Russia into contractual federation, an extreme version of treaty-based federalism (pp. 42-43). Lynn and Novikov (1997) also agree with Ross on this point: During this period, the federal system was based on a series of treaties between the center and the regions rather than an effective constitution connecting the center and the regions (p. 187). Daniel Elazar called such federal systems that are continuously open to negotiation as "foralistic federalism" (as cited in Solnick, p.56). However, Putin's reforms brought the constitution back to rule by eliminating bilateral treaties and weakening republics. It is not known in which direction the pendulum will go in the forthcoming period;

²⁰⁴ "Those treaties that were adopted first (at a time of federal weakness), were generally more generous, granting the signatories a significant number of economic and political privileges that were denied to later signatories". In other words, "those who came first earned more rights" (Ross, pp. 42-43).

however, in today's Russia, no alternative text to the constitution is in force and it does not look like it will happen for now. This situation shows that the foundations of constitutional federalism in Russia are getting stronger day by day and that Russia is proceeding as a *constitutional federation* in the final analysis.

2.3.7 Centralism

Keeping in mind the fact that “how decisive the manner of the Soviet demise and the context of the transition in Russia were in determining both the federal outcome and the kind of federation that Russia has become” (Burgess, p. 33), it is not so surprising that the Russian Federation developed a centralist tendencies. Countries that fear from division and embody separatist elements generally react in two ways: The first of these is to apply a policy of appeasement against the insurgent elements by making concessions. In the Yeltsin period, exactly such a strategy was followed in Russia and these elements were tried to be kept in the country by ignoring all the extremes they displayed. This era literally represent a period of decentralization for the Russian State, which was relatively weak during the transition years. As mentioned earlier, the degree of this decentralization is so high that the chaotic situation conceptualized as segmented regionalism arose, and Russia's subunits arbitrarily extended their autonomy. However, this high dose of decentralization, despite all its defects, enabled Russia to be held together at its weakest moment. As for the second response is based on the suppression of troublemakers by force or law, or the centralization of the system that holds the country together. States, which have traditions of centralization and autocracy, and witnessed bitter conflicts after the disappearance of the authority in question, generally choose this path, due to the bad experiences of their traumatic past. Likewise, this situation is compatible with the logic that led to the establishment of holding-together federations. As described in the case of India, as such federations were built on fear of partition, they usually established federal structures that equip subunits with more limited powers and tend to be centralized. This is exactly what was practiced in Russia during Putin's era. After alleviating the conflictual and chaotic transition and recovering its power, Russia entered into a series of reforms,

with the influence of a charismatic leader, aimed at weakening the ethno-national units and especially the republics, and these reforms resulted in the resurgence of centralism in Russia.

However, this situation is not strange; because the history of Russia is the history of the centralist and autocratic states, and the extreme centrality of the state is one of the most salient features of the Russian state tradition (Burgess, p. 37). There has been a centralization in the Russian state tradition since the Tsarist era. The Soviet Union also continued this tradition, as detailed in section 1.3.1.1. The difference in terms of this continuity is that the centralization practiced by the Romanovs was based on the autocracy, typical of the empires, while that of the Soviets was based on the Communist Party. As for the Russian Federation, which was established right after the dissolution of the USSR, chose a more liberal democratic path at the beginning and planned to keep the country alive in a functioning market economy. The federalization process has also been considered as a step of democratization, which is a part of this transformation. However, despite all these, it has not been possible to eliminate the practice of the centuries-old tradition of centralization. The federal principles set forth by the Federal Treaty and the Constitution have not been sufficient to destroy centuries-old centralized practices and habits (Burgess, pp. 37-38) and “the deep-rooted tradition that all political authority and all lines of political communication must emanate from the center” (Burgess, pp. 37-38) continued to survive one way or another.

Even in the Yeltsin period, when decentralization was at its peak, it cannot be said that the traces of centralism were erased. Moreover, the Yeltsin era, when federated units were given broad powers to hold Russia together (during Federal Treaty) or to realize the various political goals of the president (during bilateral treaties) and when decentralization in the country rose more than ever before, was the period when the foundations of the centrists political regime that dominate Russia nowadays were laid: Yeltsin, who entered into a tough power struggle with the legislative forces after the collapse of the Soviets and concentrated the executive powers of the country in his presidential office as a result of his personal victory against the parliament in 1993, built the ‘super-presidentialism’ in Russia. Thus,

while Yeltsin created the impression that a decentralized federation was created by distributing broad powers to the regions on the one hand; on the other hand, by making the executive powers superior to the legislative powers and making the presidential office the most competent constitutional and political authority in the country, he created an order that we can call *presidential federalism* and showed that the centralism legacy is not denied in the Russian Federation either. Burgess (2008) also agrees with this view: According to him, “the concentration of executive power in the institution of the presidency ... is also an enduring historical legacy of the centralization of power in the hands of successive tsars and a long line of General Secretaries of the CPSU” (p. 38). At the same time, such a scheme has produced a rather interesting federal combination: This created “a federation in which there is a ‘unique coexistence of super-presidentialism and federal power-sharing’” (Burgess, p. 38).

Putin, on the other hand, used the powers attributed to the presidency in the widest way and took the centralism advanced in an undisputable manner by revoking at least some of the broad powers Yeltsin gave to the regions. These steps do not need to be reconsidered here, as they are covered at length in Section 2.2. However, there is one, which is important in terms of showing how centralistic Putin’s reforms are: With the Putin period, the practice of directly electing regional governors was terminated; and instead, a governor selection system in which a candidate determined by the president is submitted to the approval of the regional parliaments was introduced. This example alone is a clear indication of the presidential authority’s efforts to expand central control over regions. Not to mention other reforms that stifle the autonomy of the regions. President Putin, who centralized the federal system and especially weakened the ethno-national units with such steps, thus succeeded in corroding the federal power-sharing, which was one of the two basic features of the federal combination attributed to the Yeltsin period Russian federalism, and made the federal center advantageous in this regard. With the weakening of regional autonomies balancing the authority of the president, the dominant aspect of the federal combination became presidentialism with all its centralist features. These centralist presidential features include rule by decree, veto

powers over the legislature, control over regional administrations, emergency powers and more recently a regression back to the appointment of governors (Burgess, p. 38). With this aspect, Putin, shared a dominant leadership role dating back to Brezhnev, Khrushchev, Stalin, Lenin, Nicholas II and Alexander I (Burgess, p. 38) and held tightly to the centralist tradition. From this point of view, it is not possible to ignore the centralism feature while drawing the portrait of the *Federatsiya*. The Russian Federation follows the same path, although not as much as the very high degree of centralization of its predecessors, and continues its life today as a state with a centralized federal system, to say the least.

2.3.8 Complexity

The last feature of *Federatsiya*'s portrait is related to the complexity of the system. In this study, complexity as a concept indicates both the contradictions within and between the texts constituting the federation. This is what led the argument state that "the organization of federal functions is also complex, and there is a great deal of confusion over central, regional and republican spheres of responsibility" (Lynn & Novikov, p. 202) in Russia, which is to a large extent true.

The *first* of these contradictions is between the Federal Treaty establishing the federation and the Russian Constitution, which came into force about a year and a half after it. The first of the contradictions between these two texts concerns the uncertainty regarding the status of the Federal Treaty after the Russian Constitution came into force. "Article 11 of the Constitution states that center-periphery relations are to be determined 'by the Federal Treaty and other treaties' which suggests that the Federal Treaty and the Constitution are both still valid" (Ross, p. 35); however, the fact that the Federal Treaty was not incorporated into to the Constitution afterwards, creates an impression that such a text is no longer existent and therefore not valid. In other words, whilst "the Federal Treaty was not defined to be a part of the new Russian Constitution" (DeBardeleben, p. 39), the Constitution also made no formal provision for the annulment of the Federal Treaty, and this is what perplexed the minds of federated subjects by leaving the status of the Federal Treaty unclear. As a result of this situation, the status of the Federal

Treaty stayed in limbo. As for the second, it is the contrast between the provisions of the Federal Treaty and those laid down by the Constitution and federal laws. It is not surprising that these two texts are in contradiction, given that the Constitution aims to reduce and reclaim the privileges given to the republics during the Federal Treaty. To give an example, while the Federal Treaty granting rights of sovereignty to the republics, the Federal Constitution of 1993 did the exact opposite and rejected to give any of these sovereign rights to the republics. The Article 4(1) of the Russian Constitution insinuated that the only sovereign in Russia is the Russian Federation by saying ‘the sovereignty of the Russian Federation extends to the whole of its territory’, contrary to the Federal Treaty. To give another example, “the ownership, use and disposal of land and minerals” (Ross, p. 37) is in the jurisdiction of federated units according to Federal Treaty; however, Article 72 of the Federal Constitution authorize both the federal government and the authorities of the federated subjects in these issues. What makes this important is, this is what created a contradiction and a tension between the federated units and the federal center at the end of the day, due to the fact that the federated units insisted on the rights that they captured during the Federal Treaty; however, the federal center prioritize the Constitution that override some of the privileges given to the republics in the Federal Treaty. In other words, the republics and the federated units desired to see the validity and the prevalence of the Federal Treaty, it is because none of them wanted to renounce the privileges that they got by the Federal Treaty. Considering the constitutions of many republics such as Article 1 of the Constitution of Tuva, Article 61 of the Constitution of Tatarstan and Article 5 of the Constitution of Bashkortostan, it seems clear that the republics base their rights on the Federal Treaty and appeal to its provisions. However, the federal center aimed the opposite by basing on the clause 4(2) of the Constitution declaring that ‘the Constitution of the Russian Federation and federal laws shall have supremacy in the whole territory of the Russian Federation’ and the article 15(1) of the same document stating that ‘the Constitution of the Russian Federation shall have the supreme juridical force ... on the whole territory of the Russian Federation’. This is the source of the contradiction at least to the end of 1990s and went further by manifesting itself in

the republican constitutions in the form of clauses rejecting the federal constitution, which will be discussed immediately below.

The *second* contradiction is related to the contradictions within the Russian Constitution itself and it is between the different provisions of the same constitution. Best-known example is that “whilst the Constitution declares that all subjects are equal, in fact there are three distinct classifications of ‘federal subject’ in the document” (Ross, pp. 34-35). As you may recall, the first of these are the ethnic republics, which are classified at the top of the federal hierarchy as autonomous national states affiliated to the Russian Federation and, unlike other units, have a statehood²⁰⁵ and wider economic power, by virtue of their ethnic differences. As will be remembered, these units have their own constitutions and these constitutions together with the Federal Constitution determine the status of the republics within the federation (DeBardeleben, p. 44). The second class is composed of autonomous *oblasts* and autonomous *okrugs*, which, like the nations with republics, have ethnic differences but are not positioned as affiliated nation-states like republics, and are instead classified as autonomous national-territorial formations. The third is the *oblasts*, the *krais*, and the cities, which, due to their lack of ethnic differences, have no autonomy and are classified as administrative-territorial formations for purely administrative purposes. These five units have their own charter and statutes instead of the constitution, and they regulate the status of these units within the federation in coordination with the Federal Constitution. The problem herein is that “despite their formal equality, the constitution still recognizes some differences between the various types of constituent units” (DeBardeleben, p. 44). It is possible to observe that these units are not equal just by looking at this classification. The contradiction at this point, then, is to claim that all units are equal while maintaining the existence of different statuses left from the Soviets within the same constitution, and establishing ‘different but equal’ (DeBardeleben, p. 44) units in DeBardeleben’s words. Another contradiction is linked to the constitution’s perspective on citizenship. The Russian Constitution, on the one hand, states an

²⁰⁵ Such as having the right to determine official state language etc.

equal citizenship definition that all Russian citizens will enjoy equal rights wherever they are in the country, on the other hand, it also recognizes group-specific rights by granting distinctive rights to communities living in federated units (Sakwa, p. 245). This situation distinguishes a group of people from others solely because they belong to a specific nationality or cultural group, and does not fit the civic perspective, which aims to make a citizen have certain rights only because he or she is a human, regardless of who he or she is or where he or she is from. In other words, the simultaneous implementation of individual and collective rights creates a clear contradiction. Undoubtedly, this contradiction stems from the fact that post-Soviet Russia, which wants to apply the norms of equal citizenship, has bumped into the Soviet-type citizenship heritage. As it can be seen, Russia encountered the specter of Soviet ethno-federalism while taking steps regarding the equality of both federated units and its citizens, and had difficulty in reconciling its habits from Soviet-past with liberal values. This situation made the liberal transformation of Russia impossible and caused it to live this process in contradictions. The Russian Constitution is precisely a reflection of this paradox, which illustrates us once again that “of all the chalices bequeathed by the Soviet regime, ethno-federalism was perhaps the most poisoned” (Sakwa, p. 245). In addition to these two main contradictions, DeBardeleben (1997) noticed that there are several other contradictions within the constitution, which could be called as secondary complexities: The first of these secondary complexities is the problem that some powers defined in the joint jurisdiction of the federal center and federal units coincide with some of the powers left in the sole jurisdiction of the federal government. In other words, there is an overlap of some powers in Articles 71 and 72 of the constitution, and some powers are simultaneously deemed to be under the jurisdiction of the federal government and under the joint jurisdiction of the federal government and federated units. For example, the protection of human rights and the establishment of general principles of taxation are placed in both categories (p. 46), according to the determination of DeBardeleben (1997). The second stems from the contradictory expressions about the range of action granted to the regions by the federal constitution regarding the diversity in the state structures of the

federal units. According to DeBardeleben (1997), “members may ... establish their own state institutions” pursuant to the constitution and “this provision allows considerable diversity of state structures at the republic and regional levels, including diverse electoral systems and varying degrees of power granted to the legislative and executive branches” (p. 46). Indeed, looking at the constitution, it is not difficult to see that Article 71 or Article 72 of the constitution does not impose a restriction to the contrary, and that this may be one of the residual powers stated in Article 73 of the constitution that the regions can benefit from. However, Article 77(2) of the Federal Constitution “opens the possibility of disputes over the permissible degree of variation” of the political system (DeBardeleben, p. 46) by stating that ‘the federal bodies of executive authority and the bodies of executive authority of the subjects of the Russian Federation shall make up a single system of executive power of the Russian Federation’. Looking more deeply into the constitution, it is possible to find other contradictions. The existence of such secondary contradictions attached to the two main contradictions ultimately turns the constitution itself into an extremely contradictory text.

The *third* contradiction concerns the contradiction between the republican constitutions and regional charters and the Russian Constitution, and is between the provisions in those regional texts in question and the Federal Constitution and federal laws. Until the mid-2000s, there was a tendency among the federated units of Russia to prepare constitutions and charters containing provisions contrary to the Federal Constitution and laws. Ethnic republics pioneered this trend, and many of them adopted constitutions that violated the Russian Constitution, creating a ‘war of laws’ between federal units and the federal center. This marks a period in which the wind of ethnic separatism between republics turned to legal separatism and the republics desired to extend their *de facto* autonomy within Russia. According to the information provided by Ross (2003), republican constitutions, which were prepared especially in the chaotic time period between the signing of the Federal Treaty and the ratification of the Russian Constitution²⁰⁶, were quite radical; and it

²⁰⁶ Such as Sakha, Chechnya, Tatarstan and Tuva.

gave these units sovereignty rights such as self-determination, declaration of state sovereignty and the right to secede from the union. For example, “Article 1 of the Constitution of Tuva stated that as a sovereign state Tuva is a member of the Russian Federation ... and ... has the right to self-determination and the right to secede from the Russian Federation” (Ross, p. 36). Moreover, some republican constitutions²⁰⁷ claimed that the respective republics have the character of an integrated state with Russia and rather have a confederative structure (Ross, p. 35). For instance, “Article 61 of Tatarstan’s Constitution declared, ‘the Republic of Tatarstan shall be a Sovereign State ... associated with the Russian Federation ...’” (Ross, p. 36). Similarly, Article 5 of the Bashkortostan Constitution stated that Bashkortostan joined Russia on an equal basis. The Constitution of Chechnya went beyond this and defined Chechnya as an independent sovereign state (Ross, p. 36). All such phrases are in violation of the 1993 Russian Constitution. The Constitution of the Russian Federation does not recognize the rights of secession, sovereignty and self-determination to any of its units, including the republics, and positions the federated subjects as elements only with various autonomy within the federal union of Russia.

In addition to this, the constitution and charters of some federal units, especially the republics, rejected the supremacy of the federal constitution, and they claimed that their constitution and charters were superior to the federal constitution²⁰⁸. For example, “Article 1 of Tuva’s Constitution stated that at times of political or state crisis in the republic, the Republic’s Constitution was to take priority over federal laws ...” (Ross, p. 36). To give another example, “Article 1 of Bashkortostan’s Constitution declared that, the Republic of Bashkortostan has supreme authority on ... adopting the Bashkortostan Constitution and laws, which have supremacy on the entire territory” (Ross, p. 36). Likewise, “Article 59 of the Constitution of Tatarstan proclaimed that, the laws of the Republic of Tatarstan shall enjoy supremacy over all its territory” (Ross, p. 36). It is possible to increase

²⁰⁷ Such as Tatarstan, Bashkortostan, Sakha and Tuva.

²⁰⁸ I.e. Article 7 of the Constitution of Sakha, Article 15 of Bashkortostan, Article 1 of Tuva, Article 1 of Dagestan, and Article 7 of Komi (as cited in Ross, p.36).

these examples even more. This situation by contradicting Articles 4(2) and 15(1) of the Russian Constitution on the supremacy of the Federal Constitution, created a major contradiction in the course of at least ten years until it was replaced by Putin's iron fist.

A further problem is that many federal units, especially the republics, claimed, through their constitution and charters, that they had powers beyond the powers granted to them by the Federal Constitution. As detailed earlier, Articles 71, 72 and 73 of the Russian Constitution had determined the duties and powers of the Russian Federation and its affiliated federal units. However, when one looks at especially to the constitutions of many republics, it is seen that these units unilaterally assume the powers not granted to them in the Federal Constitution. Some republican constitutions have declared that certain matters, which specified as the exclusive jurisdiction of the federal government under Article 71 of the Federal Constitution, are solely in their jurisdiction. To cite an example, "the Constitution of Tuva granted the republic the right to decide issues of war and peace", which was in the sole jurisdiction of the federal government of Russian Federation according to the Russian Constitution. To continue with the same sort of violations, some republic constitutions gave the exclusive authority to the republics in managing their external affairs both in political and economic terms such as conducting its own foreign policy and signing international treaties²⁰⁹, which is a clear violation of Russian Constitution owing to the fact that it is in the exclusive jurisdiction of federal center according to the Russian Constitution. In addition, Tatarstan's appropriation of the authority to grant or deny citizenship (through the Article 19 of Tatarstan Constitution) can be cited here. Likewise, Sakha and Bashkortostan's entrusting their own legislature with the authority to determine how much to pay to the federal budget, and some federated subjects' monopolizing in the hands of their own executives²¹⁰ the authority to appoint the bureaucrats of federal agencies in their regions; must be evaluated in this context.

²⁰⁹ I.e. Bashkortostan, Chechnya, Dagestan, Ingushetia, Sakha, Tatarstan (as cited in Ross, p.37).

²¹⁰ As you may recall, this is what undermined the "unified system of executive power" (Ross, p. 40) and Putin aimed to recapture this authority from regional executives through reforms.

The development of unilateral tax collection systems by some republics such as Tatarstan, Bashkortostan and Sakha (DeBardeleben, p. 48) is also within the scope of this section.

Some of the republics, on the other hand, have declared under their own jurisdiction the subjects, which were accepted under the common jurisdiction of federal center and regions according to Article 72 of the Federal Constitution. The most familiar of these is the use of natural resources. This issue, which is stated to be under common jurisdiction in the Federal Constitution, in the constitutions of republics such as Tatarstan, Bashkortostan, Sakha and Tuva has been accepted under the exclusive jurisdiction of these republics. According to the constitutions in question, the ownership of these resources and the right of disposition on them belonged entirely to the aforementioned republics²¹¹. Accordingly, some republics went even further and put expressions in their constitutions that would challenge the liberal economic system of the Russian Federation: In a number of republic constitutions, the right to private property is unconstitutionally prohibited in some areas (Ross, p. 38). For instance, the private ownership of land and minerals is not allowed in Sakha and the land is under the ownership of state in the constitution of Tuva (Ross, p. 38), which is a direct violation of Article 35 of the Russian Constitution that take the right of private property under the protection of law. As for another familiar common jurisdiction is the appointment of staff to federal branches of the high judiciary. As Kempton (2001) puts it, the existence and incontestability of appeal and constitutional courts is necessary for federalism, as it signifies federal agencies that ultimately adjudicate to federal problems; and therefore federal systems sometimes take the form of “government by the judiciary” (p. 212), paying great attention to the judiciary. To make these courts independent and impartial, the federated units and the federal government must work together and make appointments together. Based on this logic, Article 72 of the Russian Constitution has determined this issue as a common jurisdiction. However, even this issue has become controversial in Russia, and some federated units have added

²¹¹ See Article 10 of the Constitution of Bashkortostan.

the expressions to their constitutions that give this authority to their sole jurisdiction, in violation of the Russian Constitution.

In summary, according to Article 15(1) of the Russian Constitution, ‘laws and other legal acts adopted in the Russian Federation shall not contradict the Constitution of the Russian Federation’; however, the examples given above show that in reality this is not the case. It is seen that the Russian Constitution could not voice over other laws enacted throughout the country, even in the most fundamental rights. To give a final example in this regard, some ethno-national units have included statements in their constitutions or charters that specific nationalities have special rights. In the previous sections of this study, examples related to this topic have been discussed. Such phrases are fundamentally contrary to human rights and therefore to the Constitution of the Russian Federation, by equipping people living in the same country with different rights due to their ethnic and cultural affiliation and sometimes preventing people from enjoying the simplest human rights because they do not belong to a specific ethnic group. More examples of this can be easily provided. This situation remained a major contradiction, at least until the changes in the early 2000s.

The *fourth* contradiction concerns the incompatibility between bilateral agreements and the Federal Constitution, and is between the rationale and provisions of these two texts. The first contradiction here stems from the fact that the constitution and bilateral agreements are logically incompatible with each other. While the Russian Constitution claims to establish equality between federated entities, the idea of concluding *ad hoc* bilateral agreements which fundamentally rejects this claim, is not consistent. If federated units were considered equal, why was it necessary to make individualized agreements that equipped these units with different powers? Or how would it be possible to talk about the equality of federated units after signing such customized agreements? DeBardeleben (1997) also agrees with this view: According to her, “establishing such special arrangements with particular republics may represent a deviation from the norms of equal treatment laid out in the constitution” (p. 50). The fact that the agreements that emerged as a result of the negotiations made some units advantageous shows that this method has

a discriminative aspect and undermines the equality principle of the constitution. Therefore, “the treaties make a mockery of Article 5 of the Federal Constitution which states that the relations between the center and all the subjects are equal” (Ross, p. 46). On the other hand, the making of such agreements demonstrates the reliance on negotiable methods in building federalism and prevents the institutionalization of the constitution and its provisions. Once you open the Pandora’s Box of bargaining, there is no need to follow strict instructions of the constitution and federal laws because of the fact that any disagreement could be solved by a negotiation. Pursuant to this logic, there is no reason why an agreement made today should not be made or revised later. This is also true in federal relations, and the continuously being negotiable of federal responsibilities threatens federal stability by making the existence of the Federal Constitution questionable. All these are indicative of a clear contradiction.

The second contradiction stems from the clash of provisions of the bilateral treaties and the Federal Constitution. As explained above, considering that bilateral agreements are fundamentally unconstitutional and that these agreements are seen as a means of bypassing the constitution by the republics, it is expected that bilateral agreements will be in conflict with the constitutional provisions. However, this confrontation became so widespread over time that Yeltsin had to pass a special decree in 1996 to ensure the constitutionality of the agreements he signed under. However, it cannot be said that such efforts were successful until Putin’s rule. According to the information given by Ross (pp. 43-45), bilateral treaties first increased the number of common jurisdictions set out in Article 72 of the Federal Constitution. This has been done by designating certain issues, which were left under the sole jurisdiction of the federal center according to Article 71 of the Federal Constitution, as common jurisdiction through bilateral agreements. So much so that republics such as Tatarstan, Bashkortostan, Sakha, North Ossetia and Udmurtia and regions such as the Kaliningrad Oblast had between ten and twenty new jurisdictions. Alongside these, regions such as Kabardino-Balkaria and Sverdlovsk Oblast have achieved a large number of new powers (Ross, p. 43). According to the information cited by Ross (2003), among these jurisdictions there

are significant ones such like “state defense²¹², introduction of a state of emergency²¹³, ... management of the defense industry²¹⁴, ... coordination of budget finance, money-credit and pricing policy and the administration of public energy, transport and communications²¹⁵” (p. 44). Another path followed by bilateral agreements was the transfer of some of the powers vested in the exclusive jurisdiction of the federal government under Article 71 of the Federal Constitution, to the exclusive jurisdiction of federated units (Ross, pp. 43-45). Again, according to Ross’s quotes (2003), these included authorities of important issues such as “international relations²¹⁶, national banks²¹⁷, republican citizenship²¹⁸, and the right to appoint or approve nominations for regional representatives of federal agencies ...²¹⁹” (p. 45). Whatever jurisdictions it have within, any issue in which bilateral agreements, from the simplest to the most critical, take from the exclusive jurisdiction of the federal government and transfer it to the common jurisdiction of the federal government and federal units or to the sole jurisdiction of federal units, was arranged in violation of Articles 71, 72 and 73 of the Federal Constitution, which regulate the jurisdiction of the Russian Federation and its sub-units, and this situation could be corrected only after Putin.

Some of these contradictions have been resolved in today’s Russia. As will be remembered, shortly after the Russian Constitution came into force, the Federal Treaty was ceased to be a text that was articulated in the constitution. The bilateral agreements, on the other hand, either expired or ended as the target of Putin’s reforms. Likewise, through Putin’s reforms, the issue of incompatibility of republican constitutions and regional charters with the Federal Constitution and federal laws was also addressed. Although contradictory parts have not been completely eliminated, inconsistencies between these texts and the Federal

²¹² Tatarstan, Bashkortostan, Kabardino-Balkaria, North Ossetia.

²¹³ Kabardino-Balkaria.

²¹⁴ Sverdlovsk Oblast, Udmurtia.

²¹⁵ Tatarstan, North Ossetia, Kabardino-Balkaria.

²¹⁶ Tatarstan.

²¹⁷ Tatarstan, Bashkortostan.

²¹⁸ Tatarstan, Kabardino-Balkaria, Bashkortostan.

²¹⁹ Bashkortostan, Tatarstan, Sverdlovsk, and many others like Ulyanovsk.

Constitution have been minimized. The Russian Constitution, on the other hand, continued to exist with all its contradictions and has remained outside of this trend. It can be said, then, that two types of contradictions remain that complicate Russian federalism today. The first is related to republican constitutions and regional charters that could not be synchronized with the Federal Constitution and laws. The complexity that arises particularly from the conflict of provisions inherent in some republican constitutions and regional charters with the Federal Constitution and laws still continues. The second is the confusion arising from the conflict of the provisions of the Federal Constitution with each other. Given all this, it is not so hard to say that complexity is a feature immanent to Russian federalism. As a matter of fact, this complexity continues to exist today as diminished as possible compared to the past.

SECTION THREE

IMPLICATIONS OF '*FEDERATSIYA*'

Whether or not the federation, which has been discussed at length so far, is evaluated as a democratic or 'genuine' federation within the scope of the political science and federalism literature; what has been expatiated on heretofore tried to explain what is the thing that Russia accepts as a 'federation', namely the *Federatsiya*, how it developed, and most importantly, how it differs from other federations in the world and what features it has. In the literature, these headings were generally not described in such a chronology and in such a categorization in terms of the characteristics of the *Federatsiya*. However, this is not the part where this thesis intends to contribute to the literature, since these issues have been previously addressed in the literature in various ways. In other words, the purpose of this thesis is not solely to describe the federal structure of the Russian Federation as mentioned many times in the literature. Since this thesis is an international relations thesis, the part that it aims to contribute to the literature is essentially what will be explained hereinafter. After this point, it will be tried to be understood whether the Russian-type federalism, which Russia has internalized enough to live together for a long time, finds a reflection in Russia's solution proposals in international crises. In other words, it will be emphasized whether the models of 'territorial integrity' or 'federation' that Russia put forward or become a partner for the solution of international crises, have bear a resemblance to the *Federatsiya*: Could the *Federatsiya* be instrumentalized by Russia in international relations?

The reason why the episode described so far has taken so long is to present a detailed portrait of the *Federatsiya* and to show how Russia's perception of 'territorial integrity' is shaped: Undoubtedly, what Russia understands from territorial integrity does not resemble the territorial integrity of unitary states²²⁰. Likewise, it is not similar to the perception of territorial integrity of the symmetrical, coming-together and mono-national federations²²¹, where the units

²²⁰ I.e. France and Turkey.

²²¹ I.e. US and Germany.

that make up the country come together voluntarily and have equal rights. Or it is also clear that it is not like the simpler and less populated multinational asymmetric federations²²², where one or at most several ethnic or cultural units are treated differently in the country and have different rights. Russia is a giant multinational country with a large population and especially a large area, with dozens of ethnic and cultural units that are prone to segregation or not. This giant country, has a complex federal structure that divides these units into several different levels, with some being 'more different' from others, treating and authorizing units at almost every level differently²²³. So much so, as Kempton (2001) points out, that some of these units are intertwined²²⁴ and this 'intertwined nature' of the system makes the federal structure more complex (pp. 222-223). In summary, Russia is quite accustomed to accommodating dozens of different ethnic and cultural units that intertwined, and to existing with a territorial integrity that holds these units together with varying degrees of autonomies. The next part of this study will try to understand whether this habit is a solution proposal offered by Russia to other states and societies in international relations and will examine cases such as Bosnia, Kosovo and Georgia in order to so.

3.1 MOSCOW'S ATTITUDES AND SOLUTION PROPOSALS IN THE BOSNIAN CRISIS

3.1.1 1st Phase (1989-1992)

If Moscow's approach to the Bosnian crisis is to be demonstrated from the very beginning, it is necessary to return to the years of anxiety, which is in between 1989-1992 and referred to the first phase of Russian involvement into crisis of Yugoslavia. In the last years of Yugoslavia, in which the problems widely began to warm up and firstly Croatia and Slovenia and then Bosnia and Herzegovina were about to declare their independence, the Soviet Union too was fell on hard times and faced the threat of disintegration so similar to Yugoslavia. In addition,

²²² I.e. Canada and, partially, Spain.

²²³ In this respect, India is the most similar to Russia.

²²⁴ It should be remembered that the autonomous *okrugs* are subordinated to the *oblast* or *krais*.

coinciding to the outbreak of conflict in Croatia and Slovenia between June 1991 and January 1992, the Soviet Union had to confront a failed coup attempt organized by the hardliner communist wing in August 1991. In those years, Gorbachev, who was trying to keep up the Soviet Union's political system with the reforms and at the same time maintaining the territorial integrity of his own country, developed an alliance relationship with the central government of Yugoslavia through this common fate and became one of the most leading advocates of 'territorial integrity' of the whole Yugoslavia (Bowker, 1998, pp. 1246-48). So much so that he had negotiated with the Bush government of US for their support and he succeeded to provide American support for that territorial integrity. So, the destiny had brought Yugoslavia and Soviet Union together.

In this context, at such a period as Edemskii (1996) called as "Russia's abstention from the conflict" (p. 29), Gorbachev instrumentalized Yugoslavia in order to realize his internal and foreign policy objectives in a sense that would later affect the formation of the alliance perception of the Russian foreign policy. Primarily, Gorbachev wanted to prevent the breakup of Yugoslavia so to hinder that the division would create a 'precedent' for the disintegration of large states (Simic, 2001, p. 101). The reason was that if such a precedent occurs, the nearest country to pursue this practice was the Soviet Union (Edemskii, p. 31), which Gorbachev was undoubtedly most unwilling to see. If such a precedent occurred, a similar situation would realize within the Soviet Union, and many Union Republics, which propagandized of being independent in the Union for several years, would declare their independence from the Soviets, just as Slovenia and Croatia did in Yugoslavia. Secondly, Gorbachev was in an effort to prove that the Soviets were still an important world power. To illustrate this, the Yugoslav crisis seemed to be the most likely problem to instrumentalize in those days. Thus, Gorbachev defended the 'territorial integrity' of the Yugoslavia for the solution of the crisis experienced by Belgrade, whom he developed an allied relationship through similar problems they had experienced, and the underlying cause for his desire to do so was in fact his intent to achieve his own internal and foreign policy goals.

3.1.2 2nd Phase (1992-1993)

Shortly thereafter, as soon as the Soviet Union disintegrated and the Russian Federation as a Union Republic declared its independence, the alliance relationship developed with Yugoslavia began to suffer: “Russia’s attitude towards the Yugoslav conflict changed dramatically with the consolidation of a new national government under President Boris Yeltsin and Foreign Minister Andrei Kozyrev from January 1992 onward” (Nation, 2001, p. 96), what signaled the second phase of Russian involvement. This was because the internal and foreign policy priorities and objectives of the newly ruling reformers in Russia, and therefore the perceptions of alliance of them, had changed. Once the political purposes were changed, they did not feel the need, as much as the former period, of the Belgrade Government of Yugoslavia. The political purposes of Moscow changed in three basic contexts in this period: First, Yeltsin and his ‘Atlanticist’ environs for a long time propagated for the disintegration of the Soviet Union and overhyped liberal values during this era. Hence, in foreign policy they were also intend to appear as representatives of this ‘libertarian’ values; thus, they wanted to maximize their benefits by appearing in the same camp as the West during the Yugoslav crisis which exploded at the very beginning of their power. In this regard, supporting Slovenia and Croatia, who were also advocating the same values in Yugoslavia, seemed more attractive in foreign policy making for Yeltsin and his environs. Accordingly to it, “in May, Kozyrev visited all of the former Yugoslav republics, and while in Ljubljana and Zagreb, signed accords establishing diplomatic relations with Slovenia and Croatia” (Nation, p. 96) and “he also publicly asserted that primary responsibility for the conflict was borne by the ‘national-communist’ leadership in Belgrade...” (Nation, p. 96). Second, according to Yeltsin and his colleagues, Milosevic had openly supported the unsuccessful coup attempt in the Soviet Union in 1991, which meant that Milosevic rolled a log for the opponents of Yeltsin (Bowker, p. 1248). In this sense, Yeltsin did not want to empower any foreign policy actors who could have the capability to lead any possibility of strengthening his internal hardliner opposition in Russia. Third, as of the first half of 1992, new Russian government was performing a shock therapy throughout the

country. During this shock therapy, one of the biggest apprehension of Russia was to be isolated from Europe, where she was supported most in terms of financing of this therapy. “In this context full diplomatic representation in Zagreb and Ljubljana was badly needed for the architects of Russian reforms (if there were any)” (Edemskii, p. 33). As seen, Moscow had some problems related to home and in such a process any confrontation with the West could have exacerbated the problems of Moscow, what forced Russia to follow a passive stance and to back the Western policy line (Bowker, p. 1245). These three rationales, stemming both from internal and external politics, were a clear indication that Yeltsin and his new administration’s internal and foreign policy priorities and objectives had changed, and Milosevic had no place in the new sense of alliance of the newly established Russian Federation in accordance with this amendment. For Yeltsin, Milosevic ceased to be an actor that could be used to achieve the political goals of Moscow. Accordingly, until the end of the December 1992 elections in Yugoslavia, Russia certainly did not support Milosevic and made it clear that she would not further defend the ‘territorial integrity’ of Yugoslavia by recognizing the states that left Yugoslavia and establishing relations with them. As proof of all this, as Nation (2001) chronologically cited a few, Russia participated in all the sanctions imposed against Yugoslavia throughout the year and approved all the moves that drive the Government of Belgrade into a corner:

“The Russian Federation voted in favor of U.S. economic sanctions against Belgrade on May 30, 1992. On July 10, Moscow approved the Federal Republic of Yugoslavia’s exclusion from the Conference for Security and Cooperation in Europe (CSCE), and on September 22, it supported UN Resolution 777, which declared that the former Yugoslavia had ceased to exist and requiring Belgrade to reapply for UN membership. In October and November 1992, the Russian Federation supported resolutions approving the investigation of violations of international humanitarian law and strengthening the commercial embargo against Serbia and Montenegro” (p. 97).

3.1.3 3rd Phase (1993-April 1994)

However, in the following process, things changed once more interestingly: Yeltsin, who has been faced with a serious parliamentary opposition by the

Slavophil nationalists and hardliner communists in domestic politics since the summer of 1992 and even has been accused of being a stooge to Western politics by the opposition on an ongoing basis during his power struggle with parliament in 1993 due to his close foreign policy to the Western line, saw the opportunity to realize the macro-foreign policy objectives of the post-cold war era Russia and started to rush its way back to Belgrade with “a more independent pro-Serb line” (Bowker, p. 1245).

At this stage, a parenthesis should be opened regarding these macro foreign policy objectives. By the days of the Balkan crises, Russia was in a relatively weak position as a result of the collapse of the Soviet Union. She failed on evil days that she needed to be politically and economically strengthened. She was therefore far from being a superpower, as she get used had this status in the era of Soviet Union, even her capacity to sustain her claim to be a regional power was quite eroded. This worn-out condition meant that Russia’s internationally influential actor position was severely damaged. As explained at length in previous chapters, as a new state, Russia’s security worries were also quite dominant. Exactly at this stage, the Balkan crises, in a sense, were born as an opportunity in front of Russia. A commitment to reassert lost national pride and revive Russia’s fortunes as a great world power has become a powerful component of contemporary Russian national security policy, and Balkan engagement has become an important measure of that commitment (Nation, p. 108). In this vein, the fact that Russia became a significant partner in resolving the problem, by refraining from an adamant opposition that would cause it to be isolated from the solution of the problem, would mean that the Kremlin had the opportunity to break the political and economic trap created for her by the breakup of the Soviet Union. If Moscow could somehow take an active role in the management of these crises, if it could prevent the escalation of crises through various mediation activities and if it could participate as an effective actor in resolving these crises, she could handle the opportunity to return in the international arena as an actor who was able to argue that she was strong again in international relations, and as an actor who was on an equality with other great powers. By doing so, she could also claim to be an actor who is responsible and who has someone’s

ear. In this way, she might prevent the formation of a 'precedent' for unilateral Western and NATO interventions, which are likely to occur immediately after the cold war, so as to prevent the possibility of such interventions being made in her own domains in the following process²²⁵. She could also hurt NATO's expansion to the eastward and, more importantly, could significantly block the transition to a new unipolar world order, which she was very worried about its emergence from right after the cold war. This could also mean stopping US and NATO-bound countries from bypassing the United Nations Security Council (UNSC) and launching a one-sided decision-making trend, which seemed ascendant right after the end of cold war. Moscow had been looking at this possibility because "many (most?) Russians have a very uncomfortable feeling that international law and the UN-based international order are actually collapsing, and this would be fraught with catastrophic consequences for Russia" (Baranovsky, 2016, p. 259). All of these were, in general, macro political objectives that Russia embraced during the Balkan crises. In summary, as Andersen (2000) said, "... the Russian initiative was driven primarily by considerations of its status in international affairs, and not by pro-Serb or pan-Slavic impulses" (p. 189) and what was more important, "Russia's objective was to avoid exclusion, to establish that Russia, as a major power, should be fully consulted by the western powers and, to this end, that the UN should not be usurped by NATO as the main international actor..." (p. 189). Based on these, Yeltsin and his administration once again changed their domestic and foreign policy objectives, and their perception of alliance once again underwent 'revision' in this direction. To provide consolidation in internal politics, and in short, the desire to be an 'equal actor' in foreign policy became the main targets. As a result, the Serbian stake has begun to be needed again.

At this point, a parenthesis should be opened again: To accomplish all these macro policy objectives, Russia needed much more than being 'junior shareholder' at the stage of solution of the crises in question. Moscow, at least, had to prove that she could be an 'equal partner'. In that case, if Moscow wanted to be an equal

²²⁵ Keep in mind that "one of the most widely spread concerns was about the possible applicability of the Kosovo pattern to Russia itself or its immediate environment" (Baranovsky, 2016, p. 258).

shareholder, she could not do it by solely or entirely following the Western line during the resolution process. She should be careful not to break with the Western line with awareness of her limited capacity, but she should, also was able to, reveal his own circumstances and suggestions beyond the Western line time to time. So, the question was that 'how Moscow could put forward its own conditions and proposals?' The answer was that it could only be done through an actor who was one of the parties of the problem and who was not integrated with the West, therefore not supported by the Western camp. This could be nothing more than Serbs, in the Bosnian and Kosovo crises. Contrary to what is often claimed, the historical and cultural ties of the Russians with the Serbs, if any (!), could only be important after this instrumental relationship. From my point of view, as Andersen (2000) puts it "the pan-Slavic argument, which identifies a particular bond between Russia and Serbia based on religious (Christian-Orthodox), cultural, linguistic and ethnic ties is spurious" (p. 183) and this was an argument that can only be countered in domestic politics as it was already used for internal purposes during the whole crises especially by the parliamentary opposition of the Yeltsin administration. In summary, what I am trying to say is that during the Balkan crises, the Russians actually had their own agendas and foreign policy goals; so, in order to achieve these goals, she needed to instrumentalize one of the most appropriate actor for her which involved in the crises. By doing so, Moscow could make her conditions, priorities and voice heard, and managed to keep its interests alive through this actor and the relationship she established with the Serbs was precisely based on this context.

Besides these, there were also conjuncture-related developments that pushed Moscow's policy line towards Belgrade. For example, the incident of the defeat of Serbian-American Milan Panic, which was more moderate and backed by Moscow against Milosevic in between the period 1992-1993, in the Serbian presidential elections held in December 1992 and the rise of Milosevic remains as an unrivaled leader, could be counted as one of those (Nation, p. 97). As another example, also at about the same time, limited operations that the Croats launched to the Republic of Srpska Krajina region, which was mostly under the control of the

Serbs, in order to dominate some strategic targets, can be considered as one of them (Nation, p. 98). All of these have contributed the Russian government's move towards the Serbians and Milosevic, in fear of losing their stakes at the beginning of 1993. At the same time, events such as the Croats abandonment of the Muslims and beginning of their fight to seize more land for themselves in 1993, which illustrated the fact that the Serbs were not the only baddie of this war, and the internal disagreements of the Western countries about ending the war also encouraged Moscow to have an independent role and support the Serbs (Bowker, p. 1251). So, "in 1993, Russian diplomacy in former Yugoslavia became considerably more active, and more assertive as well" (Nation, p. 98) and this led Moscow to move towards the third phase. In that sense, "in May 1993, Kozyrev visited Belgrade for the first time in nearly a year" (Nation, p. 98); moreover, "it also worked to sabotage a July 29, 1993, Security Council Resolution calling for the lifting of the UN arms embargo in the specific case of Bosnia-Herzegovina" (Nation, p. 98) and not hesitated to raise other objections to the Western camp such as "its opposition to any use of force outside of UN..." (Andersen, p. 187).

At this point, within the scope of the 'revision' in question, there was no longer any need to mention any 'territorial integrity' in Bosnia; because the central government of Bosnia and Herzegovina left Yugoslavia about this time and was not affiliated with Moscow's ally Belgrade anymore. Thus, the fragmentation of Bosnia did not mean that the actor, which the Moscow carried out a policy through, was weakening; on the contrary, if Moscow could play a constructive role on this actor, the Russians could increase the leverage of both their own and the actor they were influential on. Even more important is that, in the Balkan crises, Russia, while opposing to the antagonistic actors of her from time to time in order to show her contradiction; well knew the fact that the dose of this opposition must not go beyond the scale that would cause her to be isolated by these antagonistic actors that Russia is in conflict with, by being found bizarre, overdone, overdose and destructive. To overdose the aforementioned level of opposition would led Russia to be excluded from the solution of the international crises in question; or it would cost Moscow to become a junior shareholder if Russia did not adequately express her opposition.

So, this was such a very sensitive equilibrium. Russia had to provide this delicate balance, because “in order to rebuild the foundations of national power, Russia urgently needs a peaceful international environment, positive working relations with the major world powers, and the sustained support of international financial institutions” (Nation, p. 110); but she also had to promote her prestige at least as a regional power concurrently. Based on this, even when Moscow followed a pro-Serbian stance, she was disposed to cooperate with the West and participate in international plans, what demonstrated that Moscow’s only concern was to be treated as an equal partner (Bowker, p. 1257). Andersen (2000) also agreed with this view: According to him, Moscow’s main goal was not to stay off the table and this is why despite all her conflicting discourses, she always preferred to cooperate with the West (p. 180)²²⁶. In this context, the Russians volunteered to discuss ‘Western-oriented federative models’ in Bosnia, without caring too much whether there would be a fragmentation in the ‘territorial integrity’ or not, in order to be effective in solving the problem and to achieve the above mentioned foreign policy objectives by using their influence on the Serbs. In accordance with this, they advocated the ‘Vance-Owen plan’²²⁷ throughout 1993 (Edemskii, p. 30), which

²²⁶ In this context, when examining Russian foreign policy, we can find one of the most striking and clear examples of this in Russia’s position on the Bosnian and Kosovo crises. To give an example, we see that while Russians voiced their discontent with the West and NATO over the Serbs too many times during crises, the Russians also participated in a number of sanctions imposed against the Belgrade at the UNSC. As another example, in Kosovo case, we see that Primakov was removed from his post by Yeltsin as a result of the aforementioned opposition dose being exceeded by Primakov, and that Chernomyrdin was appointed as the special representative for Kosovo issue, and that he tried to restore the relationship more on a smoother platform with the West. For more instances, we frequently see that, in the cases of both Bosnia and Kosovo, Russia over and over again oppressed the Serbian side and tried to persuade it to negotiate, in order to provide some basis for negotiation. Moscow, usually does not only contented with suppressing and restraining her allies against other foreign actors; furthermore, she goes to create some distinctions even within the components of her own allies and often tries to suppress more uncompromising actors, preferring more compromising ones to make her task easier on the bargaining table: For example, in the elections held in Yugoslavia during the early period of Bosnian Crisis, Panic, a rival of Milosevic and a more moderate candidate, is backed by the Russians and Kremlin putted some efforts to prevent Milosevic to be elected; Milosevic is only accepted as an ally by the Russians after his success in the elections. As a similar example, Bosnian Serbs, who have been in a more uncompromising position since the beginning of the Bosnian Crisis, and Milosevic, who was more likely to reconcile, are tried to be separated from each other by the Russians and the Bosnian Serbs were being suppressed in this regard. We can greatly increase the number of such examples in Bosnia and Kosovo cases.

²²⁷ This plan was not implemented because it did not receive support from the United States as a result of Clinton’s negative approach (Bowker, p. 1250).

envisaged Bosnia's federalization into 10 different ethnic-based cantons in itself (Caplan, 2000, p. 215), and suggested that they could contribute military power at the point of its implementation.

The Russian foreign policy, which became more assertive at the point of reaching macro foreign policy objectives in 1993 during the Bosnian crisis and which began using its dominance much more harshly over the Serbs in this context, became more active and assertive at the beginning of 1994 due to such cyclical developments like increased pressure coming from the domestic politics²²⁸ and new situations arose on the ground. For example, "on 5 February 1994 a shell exploded in a marketplace in the center of Sarajevo, killing 68 people and injuring 200 others" (Andersen, p. 188). It was a large mortar attack. Soon after, NATO and the Western countries gave an ultimatum to the Bosnian Serbs whom they regarded as responsible for the attack and said they would launch an air strike against Bosnian Serb positions in the near future if they did not withdraw their heavy weaponry from crests around Sarajevo. Thereupon, the Russian government immediately stepped in the process appropriately with the active policy it pursued on the Serbs. Then, Moscow convinced the Serb parties, which were on the one side Milosevic on behalf of Belgrade and on the other side Karadzic as the leader of the Bosnian Serbs, to withdraw from Sarajevo's crests, provided that the positions of the Bosnian Serb forces were filled by Russian troops linked to the United Nations, so these troops would settled between the two fighting sides of the war. This had become one of the greatest Russian diplomatic triumphs achieved after the dissolution of the Soviets. At the same time, it was also the peak of Russian foreign policy during the Bosnian Crisis and called as "Russia's finest hour" by Andersen (p. 188). Likewise, again in February and March 1994, Moscow succeeded in persuading the Serbs to open the Tuzla airport, which was closed by the Bosnian Serbs, to humanitarian aid.

²²⁸ The first of these developments related to the domestic politics referred to "the crisis of October 1993–January 1994 in Russia itself, beginning with the bombardment of Russian parliamentary deputies barricaded in the 'White House' in the heart of Moscow at the behest of the president" (Nation, p. 98) and, in December, the second that can be read as a reaction of people to Yeltsin, "the 'Zhirinovsky Shock' of the subsequent election, where ultra-nationalist Vladimir Zhirinovsky's Liberal Democratic party received the highest percentage of votes in balloting by party list" (Nation, p. 98).

As seen in these two examples, Russia actually achieved one of the most important macro-foreign policy goals of her, prevented the creation of any precedent by undermining NATO's attempt to move unilaterally, and this was accomplished through her policy of running through the Serbs. Otherwise, Russia could not have had such an effect; but the opposite was also possible as it happened, what paved the way for the fourth phase of Russian involvement that have a disappointing results for Moscow at the end of the day: In April 1994, Russia could not convince the Bosnian Serbs this time to evacuate the Serb positions in the Gorazde region. So, Russian Deputy Foreign Minister "Churkin, unsuccessfully attempted to repeat his former move" (Simic, p. 103). This incident, which was launched as the ineffectiveness of the Russian foreign policy on her ally, also caused the first NATO bombardment to take place. This meant that, from now on, the relative effect of the Russians was gradually weakening. After this point, despite Moscow's objections to one-sided punishments forced on the Serbian side, NATO once took the priority of action and Moscow did not have much to do. In any case, in accordance with the active policy she pursued in 1994, she remained faithful to the principle of 'equal partnership' and continued her efforts to be effective in solving the problem so as not to be further excluded by the West:

"Russia continued to collaborate with the international community and contributed to the development of the 'May 1994 peace plan' calling for a 51 percent/49 percent territorial division in Bosnia-Herzegovina between Croat and Bosniac factions on one side and the Bosnian Serbs on the other. Moscow sought to maintain positive relations with all parties to the conflict and to use its influence with the Bosnian Serbs (such as it was) to encourage acceptance of the Contact Group's partition plan" (Nation, p. 99)²²⁹.

3.1.4 4th Phase (April 1994-December 1995)

By 1995, it is seen that the Russian foreign policy based on the actualization of macro level foreign policy objectives was beginning to lose its influence up one side and down the other and that Russia was in eclipse accordingly to the trend that

²²⁹ This plan was rejected by Karadzic and Bosnian Serbs.

began in April 1994 with regard to the resolution of the crisis. The Croats and Muslims of Bosnia, whom signed an armistice and then unified under the name of the Muslim-Croat Federation in March 1994 with the initiative of Washington, started to be more effective on the battlefield after about a year, thanks to the assistance of NATO air strikes and other military retraining and rearming activities given to them. With the May 1995, following the Croats defeat of the Serbs in Western Slavonia, Croatian offensive against Croatia's Serb-populated and controlled Krajina region and NATO operations against Bosnian Serb positions had intensified. In retaliation to this, as an evidence of almost all their irreconcilableness, Bosnian Serb forces entered Srebrenica and Zepa, previously declared safe havens by the United Nations, in July; and particularly in Srebrenica they first surrounded and seized peacekeepers in the region and forced them to withdraw from the town, then they manifested one of the most dramatic slaughters of human history. The limited NATO intervention launched immediately after it, in July 11, did not enough to prevent Srebrenica from falling. As of early August, Croatian offensive, which was supported by NATO air strikes, crossed Krajina and began to move into Bosnia. This meant that the balance of power in the Bosnian scene was about to change.

At this very point, the Russians were no longer able to find any response to their demur, which they have applied through Kozyrev at the issue of unilateral decisions and the interventions taken by NATO. Western and NATO countries have turned a deaf ear to Russian's objections. The UNSC was not consulted for intensified interventions, therefore the approval of Moscow was not received for any of these interventions. It is precisely came to this meaning that "the Russians had failed in their efforts to use confidence and persuasion to encourage Serb compliance with the Western-sponsored peace process" (Nation, p. 101) and "it was now the turn of compellence, with Moscow's role reduced to crying foul from the sideline" (Nation, p. 101). In the process that followed, Yeltsin saw that the situation had started to go in the exact opposite direction of the target point of Kremlin, and as a final step to save Russia's reputation, he wanted to make a summit with Yugoslav leaders in Moscow; but this attempt failed because of the rejection

by the Americans, which resulted in the end with the rejection of the idea by Croatian leader Tudjman. This made it clear that Americans were determined to finish their task through field operations. Indeed, it did so: In the last days of summer, on August 28, again a mortar attack somewhere around the Sarajevo market caused more than 30 people to die and nearly 100 people to be injured. It was the last straw for the West and the NATO camp. Two days after this attack, on August 30, 1995, despite the strong objections of the Russians, NATO had entered a far more violent operation than it has done so far in Bosnia and the bombardment started over the Serbian positions, this being the case the Bosniac and Croatian forces have begun to take over the dominance on the ground. So, 'Operation Deliberate Force', which lasted until the end of September, was like a death blow given to Bosnian Serbs; when it comes to Moscow, she was now totally disabled:

"The Kremlin's response to these blows to its prestige was ineffective ... A policy based upon rhetorical support for the Serbian national cause and condemnation of Western one-sidedness now ran headlong into a fait accompli that contained all the elements of what the Russians considered to be a worst-case scenario. NATO had intervened militarily out of area in spite of Moscow's clearly expressed admonitions. The limits of Russia's leverage over the Serbs, and its inability to protect a would-be ally, had been exposed. Illusions were shattered in Belgrade as well, where the Milosevic regime, without reliable Russian support, was left with no alternative other than to deal directly with the West" (Nation, p. 101).

The process went towards the above-mentioned deal in this quoted passage was finalized with the 'Dayton Peace Accords', which was signed in December of the same year and put an end to the Bosnian Crisis. Some face-saving arrangements for Russia were also made during the arrangement of the agreement (Nation, p. 101), recognizing the fact that Russia was so marginalized in the process of going to the treaty. To give an example, Russia has been given a modest role as a co-chair of the conference and the Russian brigade in the NATO Implementation Force (IFOR), which was allowed to remain in Bosnia, was decided not to appear under the NATO command²³⁰ and this was defined by the Russian press and the

²³⁰ Although this time stayed under the command of the commanders from United States and other European countries, at least it would not appear under the command of NATO.

Russian opposition inside the country as ‘Operation Fig Leaf’²³¹ (Nation, p. 102). All of these made Russia at most “a junior partner” (Andersen, p. 193) in this deal. Although the process of signing this agreement was fundamentally coordinated by the United States, and in this context, at the point of signing the agreement although Moscow has been given only a very modest diplomatic role; I would like to draw attention to the fact that this was a plan that again constitutes a highly fragmented and federalized structure and it approved by Moscow. Yes, perhaps Moscow had no option of not agreeing to the deal because the relative effectiveness of her was rather diminished; but Moscow as a signatory even did not have any objection to the order of ‘fragmented territorial integrity’ that the agreement displayed, and even more, “the Russian leadership cooperated closely with the West during the Dayton negotiations” (Thorun, 2009, p. 81).

3.2 MOSCOW’S ATTITUDES AND SOLUTION PROPOSALS IN THE KOSOVO CRISIS

3.2.1 1st Phase (1989-1992)

However, the ‘revision’ has shown itself in a different way in Kosovo. Kosovo, to a very large extent Albanian-populated region, did not have a first-tier status in Federal Republic of Yugoslavia (FRY). According to the federal system of Yugoslavia; Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia were accepted as *first-tier* ‘socialist republics’ just like the ‘union republics’ of the USSR. On the other hand, Kosovo and Vojvodina were accepted as ‘socialist autonomous provinces’ constituted the Socialist Republic of Serbia within Yugoslavia and transformed into kind of a *second-tier* units, similar to the ‘autonomous republics’ of the USSR. Thus, as with other first-tier republics who declared their independence from the union with the disintegration of Yugoslavia, Kosovo could not declare its independence according to the principle of ‘*uti posseditis juris*’. According to this principle, in case of any disintegration “only the next highest level of administrative unit within the state should have statehood”

²³¹ Refers to political action that conceals a shameful matter.

(Hughes, 2013, p. 996). To give an example from the previous section of this thesis, “only the 15 Union republics were recognized as independent new states, while assertions of ‘sovereignty’ by former Soviet autonomous republics” (Hughes, p. 996) during the disintegration of USSR. The same happened here and only the first-tier republics of Yugoslavia recognized as independent new states in the case of disintegration of Yugoslavia, not the other second-tier provinces as Kosovo and Vojvodina. Moreover, the autonomous status of Kosovo set forth in the 1974 Constitution, which declared in the days of Tito, was abolished by Milosevic in 1989 and it no longer had even a status of second-tier; literally became a kind of a district of Serbia. Therefore, Kosovo continued its legal relevancy to the central government of Yugoslavia, which Moscow would continue to be allied throughout the end of 1980s and the beginning of 1990s. This was supported by discriminatory policies in the region, thereby the unrest that had been inherited from Yugoslavia’s disintegration since the early 1990s continued to exist in Kosovo.

In these early years of the crisis, in 1989-1992, the Soviet Union did not dissipated yet; so, Gorbachev repeated the same reaction that he demonstrated to the Bosnian crisis, again for the same reasons in Bosnia. Actually, this was not a policy designed specifically for any country in Yugoslavia; on the contrary, it was a policy covering the entire crises in Yugoslavia. In this context, he defended the ‘territorial integrity’ of Yugoslavia in accordance with the internal and external policy objectives of the Soviet Union and was standing against Kosovo’s attempts for secession at the first phase of Moscow’s involvement in the crisis of Kosovo:

“Gorbachev expressed the standard communist elite view that there were no ‘insurmountable contradictions’ between the principles of self-determination and the inviolability of territorial integrity of states (Gorbachev 1996, pp. 621-623). This understanding sits oddly with Western conceptions of these principles, but it should be seen as a product of the formal ‘pseudo-federalism’ and quasi-constitutionalism practiced in communist countries, where real power at all levels lay with the communist party, which was itself highly centralized” (Hughes, p. 996).

3.2.2 2nd Phase (1997- April 1999)

However, in the process which was gradually moving towards the beginning of the Bosnian crisis, due to the passive resistance of Kosovo leader Rugova, Kosovo had displayed a relatively stable image compared to Bosnia, therefore it was not the priority of the international community. Afterwards, the concentrated armed actions of the Kosovo Liberation Army (KLA), composed of people which beg to disagree with Rugova and rejected his passive resistance, in 1997 and the severe Serb responses in return for these armed actions, particularly the intervention in March 1998, has been forced the international community to deal with Kosovo case.

One of these actors of the international community was undoubtedly Russia; but now the Soviets had been scattered and the democratic Russia had been trying to make its way. At this point, which was the second phase of Moscow's involvement in the Kosovo crisis, Moscow once again began to talk about the need to preserve the 'territorial integrity' of Yugoslavia and said that within this territorial integrity Kosovo should be given 'a special status and autonomy' (Andersen, p. 196); since tearing off of a territory that is legally linked to her own ally would negatively affect both its allies and Russia's leverage so that it would not be possible again for Russia to achieve its macro foreign policy objectives. Russia did not want to be excluded in the settlement of Kosovan crisis as in Bosnia and she insisted that the problem to be solved in organizations where she was also involved like UNSC or Contact Group. Besides, Kosovan case could open a new field of unilateral action for NATO and the possible intervention of NATO in Kosovo "could set a precedent, serving as a model for similar interventions in Central Asia, the Caucasus" and what in general near abroad of Russia (Simic, p. 109). Thorun (2009) was of the same opinion and enounced that if the international intervention was legitimized in the cases of humanitarian crisis also in Kosovo as was in Bosnia, it would also be possible to intervene in the CIS region, which is Russia's sphere of influence and is full of humanitarian crises (p. 85). More importantly, the Kremlin had to engage with the Chechnya problem in the years when the Bosnian crisis was solved. Based upon this, "Russian officials have

expressed concern that independence for Kosovo would be the first post-Soviet era precedent for a region – not a republic – to secede from a country, opening a Pandora’s Box for smaller nations and regions to follow” (Antonenko, 2007, p. 97). To put it more clearly, it was reasonable and legal for first-tier republics that formed the federation to declare their independence when the federation was dissolved. This is what happened both in FRY and USSR. However, until today there was no example of the declaration of independence of the second-tier autonomies within these first-tier republics. Kosovo’s declaration of independence from Serbia would be the first example of this. Considering that Russia has dozens of such second-tier regions and as it would legitimize the secession of Chechnya, Tatarstan, Bashkortostan, Sakha and many other from Russia, this was unacceptable for Moscow. It should not be forgotten, possible independence of Muslim Kosovo could encourage also the Muslim separatist movements as in Chechnya, which is a great threat for Russia, by violating the principle of inviolability of state borders in international law (Antonenko, p. 97). In such a case, the Kosovan precedent would led the possibility of NATO to be involved an operation to back these separatists within Russia. This reminded the Gorbachev era that the desire to maintain her own unity was once again becoming one of the most important domestic political objectives of Russia.

In this context, Russia’s domestic and foreign policy objectives, in spite of the failure in Bosnia, once again pointed to alliance with Belgrade. Accordingly, as seen in Primakov’s visit to Belgrade in March 1998, Russia again proposed the ‘territorial integrity’ of her ally and an ‘autonomy of Kosovo’ inside this integrity as a solution suggestion (Andersen, p. 196) as she did in the first phase of Bosnian and Kosovo crisis. This meant that the Kremlin’s tradition of proposing to preserve the territorial integrity of the allied states continued. For many who are accustomed to unitary systems, it is difficult to apprehend such a solution proposal, which there is a broad autonomy within a unitary state, as a genuine territorial integrity. Likewise, it is not easy to understand these proposals, which may seem like a kind of ‘*federacy*’, also for those who are intertwined with symmetrical federations. However, as discussed at length in the previous chapter, this is not the case for

Russia. Russia is very accustomed to a territorial integrity where the center treats some units around it differently than others as she proposed Yugoslavia to do in Kosovo. At the same time, Russia also has a practice of living with a model that could be called as “state within a state” (Levitin, 2000, p. 132), by considering the great privileges granted to states like Tatarstan and Bashkortostan. Therefore, this kind of a “plan could not harm Russian interests even from the point of view of setting a precedent” (Levitin, p. 136). There is a lot of autonomy within Russia similar to that proposed. “Tatarstan, for example, under the treaty signed with Moscow in 1994, enjoyed as much in the way of competencies and rights” (Levitin, p. 136) and, as detailed in the previous section, dozens of more examples can be given on this subject.

Another important actor, the United States, has adopted a more active attitude from the very beginning of the crisis on the basis of her experience in Bosnia and has begun to consider intervention options. Russia, in response, in accordance with its definition of alliance, was careful to cooperate with the West but in some way was trying to prevent the West from using unilateral power. To give an example, “on March 31, 1998, it approved UN Security Council Resolution 1160, which condemned the excessive use of force against civilians in Kosovo and imposed an arms embargo against the Federal Republic of Yugoslavia” (Nation, p. 103). However, the point to note here is that the “approval was conditioned, however, by insistence upon the elimination of any reference to a ‘threat to international peace and stability’, which might justify action under Article VII of the UN Charter” (Nation, p. 103). To give another example, “Moscow approved UN Security Council Resolution 1199 on September 23, which demanded the withdrawal of Yugoslav forces from Kosovo, but it again conditioned acceptance with the assertion that the resolution did not condone a resort to force” (Nation, p. 103). All this showed that Russia would veto any decision on using of force to be taken within the UNSC; as hinted so, starting from October, she did not hesitate to express this intention openly. Nevertheless, the United States continued to try to pressure Belgrade and to threaten it with NATO intervention from time to time. One of the best known of these was again happened in October: Milosevic was

threatened by the fact that the Kosovo Verification Mission should be placed in the conflict zone and in order to do so he must withdraw some of its forces from the region; otherwise, his forces should be subjected to air strikes of NATO. Eventually, through Russia's mediation, the mission was able to enter the territory under the sponsorship of OSCE and was avoided from possible intervention. Another of these happened after the Racak massacre on January 15, 1999. In this case, more than forty Kosovar Albanian passed away, and as a result the US was again threatened Yugoslavia by NATO intervention, emphasizing the immediate need to stop all the happenings on the ground.

Thereupon, a joint statement was announced on January 26th, in which the United States and Russia stayed together: One of the most important clause of the joint statement, as well as clauses such as the ending of the conflicts and the respect of UNSC resolutions by the parties to the conflict, was the compromise verdict, which indicated that 'Kosovo should have a broad autonomy in the continued integrity of federated Yugoslavia' (Nation, p. 104), very similar to what Russia suggested before. The same settlement was also included in the 'Rambouillet talks', which convoked by the Contact Group (including Russia) three days after the joint statement and convened on February 6 as a result of this call. These negotiations were organized to bring the parties of the conflict together to discuss the terms of the deal, "and insisted that an agreement must contain substantial autonomy for Kosovo while maintaining Kosovo in the FRY and thus safeguarding the FRY's territorial integrity" (Thorun, p. 98). At the beginning of the Rambouillet period, the hand of Moscow seemed sufficiently powerful to achieve the macro foreign policy objectives often mentioned throughout this section; however, Moscow, despite the consensus with the Western countries at the point of the proposed territorial integrity, was quite abstentious in accepting the military conditions proposed by the agreement (Andersen, p. 197). According to the agreement, the military deployment necessary for peace enforcement was planning not only for Kosovo, but for all Yugoslavia. Belgrade, like Moscow, has found it absolutely unacceptable. No agreement was reached on this and the NATO operation named 'Operation Allied Force' commenced on March 23rd. This meant that, contrary to

the situation at the beginning of Rambouillet negotiations, Moscow could not be part of the solution in the position she desired again and Russia's diplomatic involvement had declined owing to the fact that NATO got the supremacy.

3.2.3 3rd Phase (Mid-April 1999-July 1999)

However, when we arrived in the middle of April, things changed once again and it led the third phase of Russia's involvement in the Kosovo crisis. Yeltsin appointed former Prime Minister Viktor Chernomyrdin as his special envoy on the Balkans. This meant the softening of the 'overdose' assertive politics, which was carried out by Primakov so far. Thus, Primakov lived a resemblance to the fate of Kozyrev, which he replaced after Bosnia frustration. From that time on, "Russia was ready to align itself with Belgrade as a means to secure influence, but not to stand alone against the West" (Nation, p. 105). In this context, "Chernomyrdin's priority became to find the ground for a compromise that would keep Russia engaged, offer Belgrade face saving concessions to facilitate a negotiated settlement, and bring the bombing to an end" (Nation, p. 105). This was also quite consistent with Yeltsin's line which he asserted that it should be treated more softly than Primakov did.

This change took place at a very important time for the West as well; because of the fact that the NATO operations against Serbia did not give the expected results. In such a case, sharing responsibility with Russia could significantly reduce costs for the West. As a result, at the beginning of May, new rounds of talks between Chernomyrdin representing Russia, US Deputy Secretary of State Strobe Talbott representing NATO and Martti Ahtisaari representing EU started, and Milosevic approved the final agreement at the beginning of June. This agreement had some modest concessions to Milosevic compared to Rambouillet. For example, NATO forces that wanted to be placed in general of Yugoslavia in the Rambouillet negotiations were came under only in Kosovo with this agreement. Therefore, the articles that Milosevic could be disturbed were carefully rasped. However, this agreement echoed "Rambouillet formula for Kosovan autonomy within the FRY" (Andersen, p. 201). At the end of the entire process, 'UNSC

resolution 1244' was passed by the UNSC, and it was mostly based on the essentials of Rambouillet. This resolution regulated the new civilian administration to be established in Kosovo. It also "mentions 'self-governing institutions' three times, 'self-government' four times, 'self-administration' once, 'substantial autonomy' four times—two of which were formulated as 'substantial autonomy within the FRY'" (Hughes, p. 1004) and "UNSCR 1244 also reaffirmed the 'territorial integrity' of the FRY three times" (Hughes, p. 1004). Apparently, this was well suited to Russia's proposal, which suggests a broad autonomy for Kosovo within the Yugoslavia.

3.2.4 4th Phase (2004-2008)

In this context, when considering the attitude of Moscow at the last stage of this crisis and the concordance of the resultant conclusion with her proposal, Russia could at least end her exclusion and managed to involve in the Kosovo Peacekeeping Force (KFOR) which will be deployed in the region, although she was not too close realizing her macro-objectives. Therefore, it seems that the attitude of Russia towards this crisis was more successful than compare to the Bosnian crisis; "but the price for these exploits—subordination to the West's agenda in an area of traditional concern—was high, and Russia received precious little advantage for its diplomatic contributions" (Nation, p. 106) as in the example of Russia's failure to capture a separate peacekeeping area and sector in Kosovo as the other units of NATO-led KFOR had, even if she was involved in KFOR, which triggered Moscow to march her soldiers in Bosnia to Kosovo-Pristina Airport on June 11-12 prior to the arrival of another contingent of KFOR in the airport to capture a separate zone for Russia, a march ended with a non-accomplishment of Kremlin's purpose at the end of the day (Andersen, pp. 202-204). Moreover, the solution proposal that we think likewise that it realized, not to happen as it was expected owing to Russia's exclusion from the United Nations Mission in Kosovo (UNMIK), which designed to settle for Kosovo's administration. The problem here is that the Russian foreign policy under Primakov's leadership went over the limit of objection to the West and as a consequence of it gradually lost her effect over

the resolution of the problem; because of the fact that she had lost her constructiveness to solve the problem in the eyes of the West. Although this image was attempted to rectify after Chernomyrdin's appointment by Moscow, the Russian brigade's self-ordained march to Kosovo to grab more than she's been given, reinforced the West's negative thoughts about Russia's intents and caused the process that left Moscow out of the solution.

Therefore, from July 1999, what it could be seen is the exclusion of Russia from the militarily and political administration of Kosovo, which led the fourth phase of Moscow's involvement in the Kosovo crisis. The exclusion of Russia from the administration of Kosovo had gradually led Kosovo to turn into an 'international protectorate' monitored outside of Russia, which paved the way for the unilateral independence of Kosovo in the long run, as opposed to what Russia envisioned. Due to Russia's insistence on not to let any precedent to be set for a second-tier region of a smaller nation to become independent from its host country, Moscow's alliance with Belgrade remained same in the aforementioned fourth phase. Correspondingly, she continued to come up with the proposal of 'federacy' as a solution proposal and refused the Ahtisaari Plan of March 2007 that planned to grant Kosovo a *de jure* sovereignty and independence under the supervision of international community. Although Kosovo has declared its independence unilaterally in 2008 and recognized by many like most of the leading European countries and United States, Russia continues to maintain this position today and does not recognize Kosovo's independence by keeping in mind the phrase of the former Russian Foreign Minister Ivanov that 'there are many Kosovo's in Russia'.

3.3 MOSCOW'S ATTITUDES AND SOLUTION PROPOSALS IN THE GEORGIAN CRISIS

3.3.1 1st Phase (1992-September 1993)

Unlike the examples above, Georgia was a country of Soviet Union. Thus, the source of the separatist and bloody conflicts she experienced in the early 1990s was based on the seventy years of Georgia SSR in the USSR (Fischer, 2016, p. 43).

Georgia was like a micro-asymmetric reflection of the massive asymmetric federation of the USSR. The discontent and objections of Abkhazians and Ossetians and a little bit of Adjarians, who were ethnically or religiously different from the Georgians, but who were granted the *second-tier* Adjara ASSR and Abkhaz ASSR²³² and the *lower-tier* South Ossetia AO subordinated to the *first-tier* Georgian SSR within the ethnic and asymmetrical Soviet federal system, to their autonomy and status spread throughout the Soviet period. In particular, the displeasure of the Abkhaz and Ossetians was severe. The main reason was, as detailed in the first section, like all autonomous republics and autonomous oblasts within the USSR, Abkhazia's and South Ossetia's non-possession of the right to leave the union and constitutional sovereignty, due to the fact that they were not a first-tier Union Republic like their host sovereign Georgia. Another reason of it was the hierarchically stratified character of the Soviet federalism, which created an inequality between the Georgian SSR's Georgian community and affiliated Abkhaz ASSR's and South Ossetia AO's Abkhaz and Ossetian community (Coppieters, 2004, p. 192). In particular, Abkhazia had one more reason: When the Soviet Union was first established, Abkhazia was considered a constituent SSR within the TSFSR, associated with Georgia but not subordinated to it; however, this situation was changed in 1931 and Abkhazia turned into an ASSR subordinated to the Georgian SSR (Wheatley, 2010, p. 214). It will be because of this that particularly the desire of the Abkhaz to be independent from Tbilisi or incorporate with the RSFSR as an ASSR had been demands Moscow has been accustomed to hear for decades.

Towards the end of the 1980s Abkhaz became more radicalized and began to propagandize to become a Union Republic of the USSR. Abkhazians have always perceived the establishment of an Abkhaz Autonomous Republic subordinated to the Union Republic of Georgia as a political discrimination and saw policies of the Georgian State as the colonization, assimilation and Georgianization of Abkhazia in an oppression period (Coppieters, p. 192). During the seventy-year journey in the

²³² Abkhaz were minority in Abkhazia according to the 1989 census and made up only about 18 percent of the population.

Soviet Union, they had always been anxious for reasons such as inequality of opportunity in education, economic backwardness and Georgian thesis that degrade the existence of Abkhazians (Francis, 2011, p. 68). From their perspective, the destruction of Abkhazians through the policies implemented by the Georgian State in Abkhazia could only be prevented if the Abkhaz gained state sovereignty and completely Abkhazian-controlled local state institutions (Coppieters, p. 193). The Soviet central power and the Georgian leaders have been cool towards to these demands from day one, and in particular, Abkhazian requests to unite with the RSFSR or to raise its status, starting in the 1950s, were generally rejected (Francis, p. 119). Nevertheless, it was not too difficult to freeze these tensions and deal especially with the Abkhazian demands thanks to the ultra-centralized administrative nature of the Soviets; however, when the Soviet central control weakened as a side effect of Gorbachev's reforms, the problem became uncontrollable²³³.

As the Moscow's capacity to control such problems diminished, these problems were tried to be managed by Gorbachev's policy of using federated units against each other. As detailed in the first section, towards the early 1990s, Gorbachev had begun to empower the autonomous republics to curb the ever-growing demands of the union republics and wanted to use ASSR's as a leverage against the SSR's who intended to secede from the USSR. What Gorbachev did was simply threatening the union republics that if they secede from the USSR the autonomous republics could also secede from the union republics. This method, which applied especially for the RSFSR, was also applied to the Georgian SSR, and Abkhazia was given extensive powers, thus the demands of Georgia were tried to be restrained. By doing so, both the Georgian SSR was targeted to be kept in the union and Abkhazia was tried to be satisfied. However, this policy did not work in Georgia, which became one of the countries that had one of the most stubborn public opinion in terms of seceding from the Soviets especially after the violence

²³³ Glasnost, due to the political openness it brought, enabled Abkhazians, who were suppressed in some way until today, to express their demands more easily. Perestroika, on the other hand, eliminated the central party structure that could restrain these demands, and caused some 'excessive demands' could not to be controlled.

of Soviet troops in spring of 1989 in Tbilisi; on the contrary further accelerated the intercommunal conflicts²³⁴. With this process, the demands of South Ossetia, which were relatively low in tone compared to Abkhazia throughout Soviet history, also increased considerably; and they began to demand that their status be raised to the level of an autonomous republic, just like their relatives in North Ossetia of Russia, which non-admission of this by Tbilisi exacerbated the tensions (Francis, p. 75).

Towards the collapse of the Soviets, when the Georgian nationalists had a victory in the Georgian parliamentary elections of 1990 before Georgia declared independence from the USSR, the radicalized nationalists in Abkhazia and South Ossetia were alone with Gamsakhurdia, the head of Georgia's new and nationalist government. After a short period of refusing any negotiation on the status of these regions, Tbilisi was eventually came to agree to give these regions some kind of cultural autonomy and ethnic quotas in representation, or at most to maintain the status quo and the Soviet model; but the units in question demanded much more than that (Francis, p. 99). Abkhaz were looking for sovereignty, full control of state institutions, a statehood and at least a confederation based on the principle of equality with Georgia that pay regard to the right to secede; and Ossetians had an intention of unifying with their kinfolds in the North Ossetia of Russia (Coppieters, p. 194). Yet more, when looking at some of the proposals of Abkhazia, at least starting with mid-1992, it would be noticed that it was rather mentioning 'a very loose confederal-type' association, in which Georgia and Abkhazia would with very few joint responsibilities could equally and separately subject to international law, participate in international politics and foreign economic relations, make agreements, grant citizenship, have guards and exclusive powers (Francis, p. 122). The inability to compromise between these proposals and Tbilisi's refusal to upgrade any status soon led nothing more than a conflict.

The first war broke out in South Ossetia in early 1991, once South Ossetia declared its independence from Georgia in the last days of 1990 and Tbilisi abrogated the autonomous status of it in return, and lasted until mid-1992.

²³⁴ For further details, see Francis.

According to Fischer (2016), Russia's attitude towards this war was inconsistent: Russia was defending the 'territorial integrity' of Georgia on the one hand, but did not cut off its communication with Ossetian separatists on the other (p. 45). It looked like Moscow wanted to use Ossetian secessionism as "a lever of influence" (Fischer, p. 60) against Tbilisi. Ultimately, a ceasefire was reached in June 1992 by the mediation of Moscow, and a joint control commission with Russian representatives and a Russian-led joint peacekeeping force were placed in the region. Thus, the conflict was frozen and South Ossetia became a *de facto* separate region from Georgia, mostly controlled by Ossetian secessionists (Allison, 2008, p. 1146).

The second war broke out in Abkhazia in August 1992, after the paramilitary forces of Shevardnadze²³⁵ entered the territory of Abkhazia on the pretext of preventing the forces supporting the deposed Gamsakhurdia immediately after the conclusion of the Ossetian-Georgian war, and lasted until September 1993 (Coppeters, p. 195). Shevardnadze's move triggered the existing contradictions between Abkhaz and Georgian sides increasing between the years 1989-1992, including the one left over from the referendum in the spring 1991 on the preservation of Soviets. In these years; Georgia's decision to leave the Soviets and refusal to participate in the referendum related whether to hold the Soviets together, rejection of this by Abkhazia, and the subsequent declaration of Georgian independence were all contributed to the decades-old tensions between Georgia and Abkhazia separately; and Shevardnadze's intervention was the last straw²³⁶. According to Fischer (2016), Russia's attitude here was again ambivalent and her desire to use conflicts as a leverage to influence Tbilisi's policies were same: She did not give up Georgia, but did not distance itself from the Abkhaz separatists (p. 46) and gave some military support to them. Francis (2011) also expresses a view close to the view of Fischer. According to her, although it is true that the Abkhaz forces got significant assistance from Moscow, "Russia's policy during the

²³⁵ The new leader of Georgia after Gamsakhurdia, who was toppled by a coup d'état; a gray-haired politician, old communist leader of Georgia and old Foreign Minister of the USSR.

²³⁶ For details, see Francis.

Georgian-Abkhaz war cannot be seen as unified” (p. 88) and “...the military provided weapons to both sides” (p. 88) of the war in a situation in which even the most critical institutions and the officials of the Russian State disaccorded with each other²³⁷. It was called as “Russia’s dual support” by Francis (p. 89). However, the support of the Russian MoD for the Abkhazians seemed somewhat more conscious and seemed to design to pressurize Tbilisi during the conflict settlement to accept an agreement based on Moscow’s terms (Francis, p. 124). Anyhow, in the conflict settlement leaded by Russia rather than UN a ceasefire was reached in May 1994, and a joint control commission composed of the representatives of the sides, and a Russian-led peacekeeping force was placed in the region, and the Geneva process was initiated for peace talks between Georgia and Abkhazia. Like South Ossetia, Abkhazia also became a *de facto* separate ‘quasi-state’ entity from Georgia, which to a large extent controlled by the Abkhazian secessionists.

What is important here was that Russia had superseded the UN and had taken the monopoly of solving the problem into its own hands; and on such an occasion the only thing UN did was that the results obtained as a result of Russia’s mediation were included in UN’s own processes (Francis, p. 124). The thing to notice here is that the way Russia deals with crisis in her immediate environment (post-Soviet region), such as Georgia, is quite different from her approach to problems that arise in non-post-Soviet regions such as Bosnia and Kosovo. Therefore, while the policies she followed in Bosnia and Kosovo were based on achieving macro policy goals, her approach to the crisis in Georgia (and also in Moldova and Azerbaijan) was more focused on her great objectives of maintaining influence and security. In this context, during the period between 1991-1994, when the crisis broke out in Georgia and which was the first phase in which Moscow involved in the problem, Russia feared that there would be instability in her immediate vicinity in which the West was involved, and that Georgia, as a post-Soviet state, would approach the West. If this would happen, the idea of ‘post-Cold

²³⁷ Yeltsin and Kozyrev were trying to improve relations with Georgia on the one hand; the Duma and the Minister of Defense were supporting the Abkhaz on the other (Francis, p. 88); (Filippov, 2009, pp. 1830-32).

War Washington-led Western unipolar world order' would have succeeded in moving into the new sphere of expansion, which is Russia's sphere of influence, and the argument of Russia that uphold multi-polarity and that Russia should be regarded as an equal actor would got a severe blow.

The approach of Moscow had based on the idea that "the consolidation of a sphere of influence on Russia's periphery is a precondition for strengthening the country's position as an 'independent pole' in an emerging multipolar world" (Allison, p. 1171). To put it more simply, Moscow concentrated on protecting Russia's sphere of influence (post-Soviet region) from Western revisionism and Washington-led destabilization attempts and to do this, she had to restrain Georgia first. For this reason, on the one hand, she tried to satisfy Georgia by defending the 'territorial integrity' of Georgia; on the other hand, she continued her communication with the separatist Ossetian and Abkhazians and also armed them, using these conflicts as a lever to control and influence Georgia's internal and external policies (Fischer, p. 9) and to put pressure on Tbilisi for Moscow's own political interests (Fischer, p. 12). This was what she did during the Moscow Agreement of September 1992, one of the most important attempts on the road to the ceasefire on May 1994. The first article of this document, which was going to be the basis for the UNSC's future proposals, clearly emphasized the need to secure the 'territorial integrity' of Georgia. However, what was striking here was that while doing this on the one hand, she continued to provide military aid to the Abkhaz forces on the ground on the other hand (Francis, p. 127)²³⁸. As seen, both of them were designed to keep Georgia in Moscow's own line and Moscow used these crises only to achieve this goal, like a sword of Damocles hanging over the head of the government of Tbilisi. By doing so, Moscow tried to convince Tbilisi

²³⁸ Accordingly to this policy, it is known that from time to time Russia explicitly mentioned the territorial integrity of Georgia in the drafts of a ceasefire during the wartime negotiations; but the greater the power of the Abkhaz on the ground, it is also known that she did not give place to Georgia's territorial integrity in drafts to threaten Georgia (Francis, p. 127). For example, while she was defending the territorial integrity of Georgia in Moscow Agreement of September 1992; in the Sochi Agreement of July 1993, another important step to ceasefire, she was avoided to stress such a statement, considering the Abkhazian side had gained an advantage in the field during the time of this agreement (Francis, pp. 127-130).

to join Commonwealth of Independent States (CIS) and to accept Russian military bases remain on the Georgian soil (Fischer, p. 12). To sum, all this illustrated that Moscow would like to regard Georgia as an ally concerning the great objective of maintaining influence, as she did to all states in the post-Soviet region; however, Russia's only wish from Tbilisi (and also from other post-Soviet capitals like Baku) was not to move away from Moscow's line, what triggered Moscow to instrumentalize the crisis of Abkhazia and South Ossetia (and also the crisis of Transnistria and Nagorno-Karabakh in the cases of Moldova and Azerbaijan) in order to do so. In other words, Moscow's policy was relied on hitting Georgia but not letting it to die. As told by Dov Lynch, even if Kremlin put some support to Abkhazian and Ossetians, it was inconceivable for Moscow to put a large scaled support for Abkhaz and Ossetian onslaughts, "as it could have contributed to the disintegration of Georgia" and "from a security point of view, Georgia's collapse was not in Russia's interest" (as cited in Francis, p. 89). That is to say, Moscow increased the destructive influence of Abkhazians and Ossetians on Georgia to threaten Tbilisi, but she did this to the degree that did not too much suffer Georgia, which Russia would like to see as its main ally. As Fischer (2016) puts it, Moscow pursued "calculated destabilization with the aim of controlling internal and external developments" in Georgia and "preventing it from turning to the West" (p. 23).

When it comes to the reason related to security why Russia did not want any instability in its immediate vicinity in the 1990s is that the Russian state was considerably weakened in the 1990s due to internal problems. Russia was experiencing power struggles in domestic politics, difficulties of transformation in economy and bureaucratic turmoil in state administration during this period. In this context, Russia was afraid that the conflicts in her immediate vicinity could spread to its problematic regions such as the North Caucasus (Fischer, p. 15). This was the second and security-related reason why Russia attaches importance to 'territorial integrity' of Georgia at the first phase of her involvement in Georgian crisis. What Francis (2011) asserted is in support of this; and according to her, despite of the fact that the MoD of Russia militarily supported the Abkhazian forces on the ground, "having no desire to create a precedent that might encourage centrifugal forces in

their own country, the Russians refused to question Georgia's territorial integrity" (p. 124). However, again for this reason, she also tried to contain the elements that have possibility to escalate any instability in the post-Soviet region. This is also the case in Georgia, and another reason why Moscow developed some dialogue with Abkhazia and South Ossetia.

As a summary of all this, there is a 'fine line' at this point: In order to keep Georgia on the lines of Moscow and to prevent instability in the region, the integrity of Georgia had to be preserved. However, in order to continue to use breakaway regions against Georgia and to contain the risk of these regions to escalate the crisis, Abkhazia and South Ossetia should have continued to keep alive somehow in this integrity. So indeed, UNSC's solution proposals on Abkhazia on the road to the ceasefire in May 1994 were also in line with this fine line. According to the information quoted by Francis (2011), "the principle of Georgia's territorial integrity was constantly reaffirmed in UNSC resolutions, as well as the need to define the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia" (p. 90). According to the UN, in the process leading up to the ceasefire in May 1994, securing the territorial integrity of Georgia in accordance with Article 1 of the 1992 Moscow Agreement was one of the major requirements for any final agreement; and this was approved in the UN resolution of 876 (Francis, p. 130). However, the UNSC resolution 896 underlined also the necessity of defining the status of Abkhazia (Francis, p. 130). Not surprisingly, considering that Russia is a member of the UNSC, the solution proposal adopted by Moscow was also in line with this fine line. That is, Russia defended the 'territorial integrity' of Georgia in the first phase of her involvement in this problem in order to maintain the delicate balance mentioned above; however, she opposed the dissolution of Abkhazia in this integrity. Francis (2011) was in support of this and as told by her, "the MFA stuck to the recognition of Georgia's territorial integrity, while seeking a high level of autonomy for Abkhazia in order to retain its influence over Georgia" (p. 125). According to Russia, Abkhazia should have a status and continue to live, even if it is within the territorial integrity of

Georgia and “*de jure* Abkhazia was regarded by the UNSC as being part of Georgian territory” (Francis, p. 90).

However, it was not possible for both UN mediators and Russia to overcome Abkhazia’s stubbornness and got Sukhumi to accept such a formula. Although Georgia softened its stance at the beginning of 1994 and offered Abkhazia a special status within a unitary state or a federated or an united states within a federation, where it would have a constitution, a flag and a certain degree of autonomy; Abkhazia never accepted them, as there was nothing resembling a federal structure, in terms of areas of joint responsibility, or ethnic representation of Abkhaz in Tbilisi, and nothing met the minimum demands of Abkhaz such as self-determination, sovereignty, equality and so on (Francis, p. 130). Sukhumi also denied to put a signature under any document that implicitly or explicitly mention the territorial integrity of Georgia, in such a case it was next to impossible to convince Abkhazia to comply with the point of view of UN and Russia²³⁹.

3.3.2 2nd Phase (September 1993-August 1999)

Since the end of the Georgian-Abkhaz war in the last months of 1993, Russia’s foreign policy priorities and accordingly, its attitude towards Georgia has changed positively. Shevardnadze, caught in the fire of both Gamsakhurdia

²³⁹ As for South Ossetia, it would not be fair to say that there were significant proposals regarding the region, since there were far fewer and often intangible solutions proposed compared to Abkhazia. The reason for this was that the Georgian government’s unwillingness to give status to South Ossetia in any way and its point of view towards figuring the region only as a district of Georgia. So much so that the first tangible solution proposal for South Ossetia came in 2004-2005. Although he was determined to reunify Georgia, Saakashvili started talking about granting South Ossetia some form of autonomy in 2004. These talks were embodied in 2005 and South Ossetia was promised an autonomous status as a territorial entity of Georgia, with its own legislative and executive bodies. In this context, issues such as national security, defense, national tax policy and foreign policy would be left to the federal authority; the Ossetian government, on the other hand, would have authority over more limited issues such as education policies. For Adjara, the situation was more or less similar. The first statements regarding the status of Adjara as an Autonomous Republic were only seen as a result of the constitutional amendments made in 2000, and the powers that Adjara government would have within this status could only be established as a result of Tbilisi’s successful domination of Adjara in 2004. The limited powers granted under this arrangement to Adjara showed that Autonomous Republic of Adjara would clearly subordinated to Tbilisi and that no compromise with Abkhazia and South Ossetia would be possible with such an approach. However, it did not appear that international powers and Russia were involved in such proposals for South Ossetia and Adjara, and this is what put these proposals out of the scope of this thesis. See (Wheatley, pp. 224-227).

supporters and Abkhazians, accepted Russia's conditions to end the Georgian-Abkhaz war. Thus, Russia managed to keep Georgia in its own line as a result of its policy over the breakaway regions, and the second phase of the relations was started. Shevardnadze believed that Moscow would enable Tbilisi to integrate Abkhazia into Georgia (Filippov, p. 1831) and to "prevent the disintegration of the Georgian state" (Filippov, p. 1832), in return for decisions showing that Tbilisi remains in Moscow's line; and in this regard Georgia joined the CIS in 1994 and allowed Russian military bases to remain in Georgia (Fischer, p. 12) in the same year. The parties also intended to sign Georgian-Russian Friendship Treaty in 1994 (Filippov, p. 1831).

The increasing importance given to Georgia by some institutions of the Russian State also had a big share in this rapprochement. For example, the Ministry of Defense considered Georgia critical for military deployment and troops stationing. It also prioritized continued access to military bases from Soviet era in Russia's immediate environment and particularly to keep installations in a country like Georgia that have border with a NATO country (Filippov, p. 1831). Similarly, the Ministry of Foreign Affairs (MFA) felt that the developments in the region after the Nagorno-Karabakh war had further increased the geopolitical position of Georgia in terms of possible routes for energy, trade and transportation; and in this context the MFA believed that Georgia should be contained in order to prevent it to break the Russian sphere of influence (Filippov, p. 1832).

Most importantly, security concerns of Moscow about her own troubled areas peaked during this period due to the first Russian-Chechen war in between December 1994-August 1996 and this further increased the importance of Georgia for Russia. According to the information given by Francis (2011), the open question between Georgia and Abkhazia increased the risk of instability in the North Caucasus for Russia during a war with Chechnya. In this context, Russia wanted to get closer to Georgia for the solution of this problem, but her proximity with Abkhazia eliminated this possibility and made Russia's job more difficult day by day. Accordingly, Russia decided to use its influence on Abkhazia to force Sukhumi into an agreement and began to establish intimate relations with Georgia in order to

prevent instability in the Caucasus (pp. 135-136). To put it in another way, as Antonenko (2007) says, troubles that Russia had with the separatists in Chechnya led Moscow to get closer to Tbilisi, which was suffering from the same fate for several years (as cited in Francis, p. 150). As a result, Tbilisi and Moscow entered into a tight alliance relationship and Moscow's attitude towards Abkhazia hardened. The isolation of Abkhazia after 1994 was a clear sign of this. Russia has closed the Russian-Abkhaz border and cut off electricity supply to Abkhazia (Francis, p. 124). Tbilisi cooperated with Russia during the First Russian-Chechen war, and this was not left unrequited by Moscow. In addition to the economic blockade imposed by Georgia, CIS countries also started to impose an economic, commercial, financial, political and military embargo on Abkhazia in 1996, which will last until the 2000s, with the lobbying work of Georgia and the support of Russia (Fischer, p. 22).

These years of good neighborliness, which will last until the early 2000s, were a period in which a compromise was tried to be reached between Georgia and its *de facto* separate parts. Considering the reasons listed above, this was not surprising that Russia's desire to find a solution to the problem increased during this period and that Moscow dedicated herself to advocate the 'territorial integrity' of Georgia (Francis, pp. 135-136). In this context, Russia has been involved in many proposals trying to position Abkhazia and South Ossetia within the federal 'territorial integrity' of Georgia. Prioritizing the stability of Georgia, Moscow tried to force particularly Abkhazia to compromise through such sanctions (Francis, p. 124). However, Abkhazia's demands for a confederation or a free-associated state, which it thought that these were the only options that could grant it equal legal personality (with Tbilisi), sovereignty and rights of self-determination and unilateral secession, could not be tempered (Francis, p. 137). Abkhazia, was adamant on having an entity that had its own constitution, army, legislative, executive and judicial branches and was directly the subject of international law (Francis, p. 138) and it had been refusing federal solutions having a single constitution. It also insisted on equal status with Georgia, in which Abkhazia have an international recognition as well as Tbilisi, and against the fact that especially the areas of defense, armed forces, security and citizenship left in the jurisdiction

of the federal government in a possible federal arrangement. Pursuant to Francis (2011), the only possible option for Sukhumi was a state formed by a two equal constituent republic (p. 142). When it is the case, the parties could not agree on any of these solution proposals and the status quo continued.

The number of these proposals was so great that this process is called as the ‘parade of proposals’ in this study. After the war that officially ended in May 1994, the UNSC and also Russia continued to present their proposals, which treated *de jure* status of Abkhazia “as a legal part of Georgia” (Francis, p. 97) and underlined “the independence, sovereignty and territorial integrity of Georgia within its internationally recognized borders” (Francis, p. 97). However, they also continued to emphasize the “necessity to define the status of Abkhazia within the State of Georgia” (as cited in Francis, p. 97). Briefly, the UN carried on with looking for an agreement that contain the prerequisites of “maintenance of the territorial integrity of the Republic of Georgia and a special status for Abkhazia” (as cited in Francis, p. 138). The ‘Declaration on Measures for a Political Settlement of the Georgian/Abkhaz Conflict’ that signed in April 1994 with the mediation of Russia even before the ceasefire could be considered in this context. According to this declaration, while Abkhazia was given the right to have its own constitution, legislation and state symbols, the parties were conditioned to have ‘joint action’ on such matters like foreign policy, foreign economic relations, human rights, energy and transportation (Wheatley, p. 218). Even if this document did not explicitly mention the territorial integrity of Georgia (Francis, p. 131) and seemed to loosen the ties between Sukhumi and Tbilisi (Francis, p. 137) in order to eliminate the apprehensions of the Abkhaz side; this demonstrates that Abkhazia, very much like the republics of Russia, was stimulated to hold together with another state, while having the attributes of being a state.

In the same framework, in May 1994, the UN Secretary General put forward a new proposal on Abkhazia in the annex of a report it prepared, and the UN and Russia were shown as guarantors for any agreement to be made on the basis of this proposal (Francis, p. 138), an indication that the proposal was also approved by Russia. According to this proposal, a union state would be established that would

have a single recognition in international relations and Abkhazia would become a subject with sovereignty and nearly a statehood within this state (Francis, p. 138). In this proposal, the territorial integrity of Georgia was clearly referred (Francis, p. 138). Thus, both the territorial integrity of Georgia would be preserved and Abkhazia would be given a special status within this integrity, which bore serious similarities with Russia's proposals for Kosovo and its own federal structure. Aware of the difficulty of convincing Abkhaz by such a formula, in November 1994 the May 1994 proposal was modified by the UN and Russia and the attribution to the territorial integrity of Georgia was lifted (Francis, p. 139). However, the statement referring that Abkhazia would be located within the borders of the former Georgian SSR as a sovereign subject of a union state was not removed and unilateral secession was not allowed (Francis, p. 139), which showed that the reason for removing the emphasis on the territorial integrity of Georgia was just to persuade Abkhazia. However, in order to get closer to the position of Abkhazia, the agreement was added with a clause saying that Abkhazia would have its own multinational armed forces, which reminded Dayton (Francis, p. 139).

Following this process, particularly the Georgian side started to seem lean towards the 'two-tier' federative proposals, which they accustomed to live with during Soviet era (Coppeters, p. 196), in accordance with its stance that started to soften towards the beginning of 1994. In 1995, with the introduction of a new constitution, the Georgian authorities and the President Shevardnadze began to support the idea of an 'asymmetric federation' (Francis, p. 98) and some other kinds of federal arrangements "without a right to secede" (Francis, p. 100), very similar to that of Russian type of federalism. According to information provided by Coppeters (p. 196), Shevardnadze's plan was to transform Georgia into a federal state. According to this idea and the road opened by the 1995 Constitution, the Georgian Federation would enliven again the Autonomous Republic of Adjara²⁴⁰, which was established during the Soviet era in reference to the Muslim population of Georgia, the Autonomous Republic of Abkhazia and the former Autonomous

²⁴⁰ With the constitutional amendment in 2000, this statement was entered into the constitution in return for the loyalty of Adjara to Tbilisi and Shevardnadze.

Oblast of South Ossetia, which were also established during the Soviet period due to the ethnic difference of Abkhaz and Ossetians from the Georgians, plus other Georgian regions (*mkhareebi*). These federal units would have different degrees of right to self-government; and accordingly, Adjara, Abkhazia and South Ossetia would be treated differently from the ordinary Georgian regions and each became a 'federated state' with great powers. There would be some differences even between these three and without no doubt breakaway Abkhazia and South Ossetia would have a greater degree of competences compare to Adjara, in a federal system in which Abkhazia would positioned at the top with having its own state symbols, parliament, constitution, legislative, executive and judicial bodies (Francis, p. 138). This referred absolutely to an 'asymmetric and ethnic federation'; and according to Shevardnadze, "such a state structure would strike the right balance between the preservation of Georgia's territorial integrity and the political aspirations of the various nations, minorities and regions in Georgia" (Coppieters, p. 196).

It may not seem correct to consider the solution proposals put forward by the Georgian authorities within the scope of this thesis; however, what is attention-grabbing here is that these were the years when the relations between Georgia and Russia were at the highest level, at a level close to an alliance relationship; and the federal system proposed by Shevardnadze was the same federal system that was used before in the Soviets and currently in Russia. It was kind of a replica of asymmetric Russian '*Federatsiya*'. More importantly, the Georgian proposal also met the requirements of the above mentioned UNSC solution proposals that Russia participated, and proposed Abkhazia a granted legal status while maintaining the territorial integrity of Georgia. What I mean is that, in such a time it was possible that Shevardnadze would be influenced by the suggestions of the Russian officials. When it is considered that, for the federalization of Georgia the precondition for the reunification of Abkhazia and South Ossetia with Georgia was stipulated, and, in accordance with the Georgian-Russian Friendship Treaty in 1994, Shevardnadze's firm belief that Abkhazia and South Ossetia would be returned to Georgia by Russia, makes it possible that Shevardnadze received some promises from the Russian authorities in exchange for the creation of such a federation. As a

confirmation of this, after a while, Shevardnadze and other Georgian officials publicly announced that the treaties they had concluded with Russia were lying on the precondition of the restoration of Georgia's territorial integrity was fulfilled (Francis, p. 125). In my opinion, Russia's influence on any peace settlement in Georgia was enormous. As can be understood from the flow of the issue, Russia's perspective on the parties to the problem directly affected any settlement initiative. Moreover, according to Francis (2011), Russia has assumed the role of the main mediator starting from March 1995 to meet its urgent needs, pushing the UN and its representative aside (p. 136). In this context, these years, which were the mid-1990s, were the years when Russia established very close relations with Georgia and therefore did not look favorably upon the disintegration of Georgia. For this reason, Russia defended the 'territorial integrity' of Georgia and believed that it can establish a federal union with Abkhazia within this integrity. Shevardnadze's proposal for asymmetric federation came around these times. Moreover, in January 1996 Yeltsin publicly got behind the proposal of Shevardnadze in terms of engaging some official contacts and cooperation with Abkhazia on the consent of the Georgian government (Francis, p. 124). It is highly probable, then, that there was a relationship between the good relations established during this period, Russia's leading role in the mediation in starting from 1995 and the asymmetric federation proposal put forward by Shevardnadze again in the same year.

The Russians, who began to lead the negotiations since March and was in search of a quick solution to the Georgian crisis due to the Chechen war, put forward a draft protocol in July 1995. According to this draft, Abkhazia would exist within a "unitary federative state within the borders of the former Georgian SSR" (Francis, p. 140) and this state would be recognized as a single "unified entity in international relations" (Francis, p. 140). Under this structure, Abkhazia would be given the specific quota in its representation in the parliament, the right to veto on matters relevant to Abkhazia and the competence to conclude international agreements on matters within its exclusive jurisdiction (Francis, p. 140). This draft was one of the proposals that best demonstrated Russia's approach to the issue, as it was solely the product of the Russians. In this context, Moscow had made it clear that it preferred

a federation-like solution focused on preserving the ‘territorial integrity’ of Georgia, but giving Abkhazia ‘a status’ within that integrity, which is a complicated ‘territorial integrity’ that Russia was quite used to in its own country. It was quite evident that she was trying to establish a federation, which would implicitly far away of being a confederation and empowered the federal authorities on more critical issues, by putting issues such as defense policies under the jurisdiction of the federal authorities (Francis, p. 140).

Another draft protocol prepared by the Russians was introduced in February 1996. According to this draft, a federative state was to be established within the territory of Georgia, with both parties having equal rights and their own constitutions (Francis, p. 141). As can be seen, despite the negative results of all the proposals prepared so far, Russia were continuing to advocate the idea of establishing a federation that would protect Georgia’s territorial integrity and recognized as a single entity in international affairs; but most probably to convince the Abkhaz of this idea, the status she would give to Abkhazia was increasing more and more at every turn. To persuade federated units to remain in the federation by raising the status of it or granting them some rights they did not have before was a method frequently used by the Russians in their own federative order. Moreover, the Russians made another proposal similar to another method that they frequently refer to in their own country under the February 1996 draft, and this was the idea of concluding a special treaty among Georgians and Abkhaz that would regulate the relations between the parties. This, as described at length in the previous section, was reminiscent of the bilateral agreements that Russia signed with her own federal subjects over the same years. Plus, Russia would be the guarantor of this agreement²⁴¹.

Subsequently, other proposals were put forward, as in July 1996 that repeated the same formula and principles presented in drafts so far. Finally, Russia

²⁴¹ Impressed by these, in March 1996, Georgia also offered Abkhazia a federal arrangement, in which Abkhazia would have a certain quota in the federal legislature, the right to veto on matters directly affecting Abkhazia and the power to make international agreements on matters within its exclusive jurisdiction (Francis, p. 141). What was more, the issues such as defense, security, citizenship and armed forces, to which Abkhazia was sensitive, would be listed in the areas of joint competence (Francis, p. 141).

took the biggest step to resolve the Georgian-Abkhaz problem in June 1997. According to the information given by Francis (p. 142), Russian Foreign Minister Primakov led the most intense diplomacy process ever conducted between the parties and ultimately introduced the 'Primakov's Protocol'. This protocol was the most converging federal proposal to the confederation among Russia's solution proposals so far. In this context, there was no indication in the protocol that the union to be established between Georgia and Abkhazia would have a single recognition in international relations (Francis, p. 142). In this respect, important issues such as defense policies and foreign policy would be left to the organs to be established jointly (Francis, p. 142). These were undoubtedly designed to persuade Abkhazia. Like the relationship between Moscow and its republics, Georgia and Abkhazia would have separate constitutions and the relationship between Tbilisi and Sukhumi would be regulated by a special treaty. However, Russia did not give up on preserving the 'territorial integrity' of Georgia even in making such a proposal converging to the confederation. According to this proposal, Georgia and Abkhazia were to establish a joint state within the former Georgian SSR; and this was reminiscent of Moscow's relationship with her republics such as Tatarstan, which she gave wide powers to the degree that can only be given to confederated states during the bilateral agreements made in the same years. In addition, Russia has assumed the role of a dominant guarantor to the degree to implement coercive sanctions on the parties to accept the protocol and preventive measures on not to resort to use of force again, as it wanted a definitive solution this time (Francis, p. 142). However, Moscow failed again, this time because of the refusal of Georgian side, who thought that this protocol would almost create a confederation, and this caused Moscow to throw in the towel and thus official negotiations on Abkhazia's status came to an end. After this date, the Abkhaz officials increasingly continued their strict attitude towards the recognition of the sovereignty of Abkhazia (Francis, p. 144).

3.3.3 3rd Phase (August 1999-2008)

Towards the early 2000s, things changed once again and the third phase of Russia's involvement in the Georgian crisis was opened. The *first* reason for this was the Chechen infiltration into Dagestan, which later led to the Second Russian-Chechen War and coincided with Putin's inauguration in August 1999. Russia accused Georgia of being involved in this tension, supporting and hiding Chechen rebels in Pankisi Gorge, which is a place fall within the northern territory of Georgia on the border of Chechnya, and highly populated by the community called Kists, who are ethnically Chechen but living in Georgia (Filippov, p. 1832). Pankisi Gorge also became a refuge site, flocked by thousands of Chechen refugees after the First Russian-Chechen War and so indeed this situation was used by Chechen rebels to hide according to several sources (Filippov, p. 1832). According to the information provided by Filippov (2009), Russia embarked on a number of sanctions thereupon in 2000: First, an air campaign was launched on the region in question. In addition, economic pressure was put on Georgia and gas flow was interrupted from time to time. Moreover, as a tool of political pressure, Russia required a visa for Georgian citizens, exempting Abkhazians and Ossetians (p. 1832). Even though Tbilisi attempted to convince Russian policy makers that the assertion of their support for Chechen rebels was not true by taking some security precautions on the Chechen border, after 9/11 it became impossible to do so. 9/11 intensified the Russian anxiety on security issues and Moscow increased her allegations on Georgia's backing to rebels. In the same month, the outbreak of the offensive of Chechen Commander Ruslan Gelayev from the upper Kodori valley (Francis, p. 150), the only region left under the control of Georgian forces in the post-war Abkhazia, reinforced both the concerns of the Russians and their accusations against Georgia. In 2002, as the Russian-Chechen war progressed and the Russian Army began to suffer violent attacks, Russia's attitude towards Georgia further intensified; and both Putin and the Foreign Minister Ivanov occasionally threatened Georgia that Russia would undertake an unilateral operation and stop the cross-border attacks coming from Pankisi (Filippov, pp. 1833-34).

The *second* reason originated from the fact that Russia's security perception and domestic and foreign policy goals had once again changed. Russia, which went through a decade of turbulent after the collapse of the Soviets, and in parallel with this which could not be as assertive in foreign policy as it wanted and solely tried to maintain 'stability' and influence in the post-Soviet countries; as of the early 2000s, especially as it began to stabilize the domestic politics and economy, had made it a priority again to ensure political, military and economic integration in the post-Soviet space, increase its soft power and influence, and most importantly the contestation against the Western camp, rather than fear of any instability in its immediate vicinity. From this time forth, Russia tried "to reassert itself as a global and regional power: as Russia is gaining strength politically and economically, it becomes more active and confident in pursuing geopolitical goals" (as cited in Filippov, p. 1825) and at the top of these goals was to ensure acceptance of post-Soviet region "as its legitimate sphere of influence" (as cited in Filippov, p. 1826). One of the most important reasons for this was the increase of the West's influence in the post-Soviet region. This situation affected Moscow's alliance relations; and based on this approach, she began to challenge neighboring states, with which the West tried to establish relations in its immediate vicinity, and which tried to avoid the influence of Russia, by using different instruments such as economic sanctions, energy, military power or by re-instrumentalizing their weaknesses such as 'frozen conflicts' (Fischer, pp. 13-14). Georgia was one of the first countries to get its share from this. This was not something surprising considering that Georgia had been having problems with Russia due to the Chechen issue for a while and that the anti-Russia sentiment in the Georgian public opinion was getting stronger, thanks to pro-Western opposition in the country strengthening day by day. So much so that the Georgian public was seriously discussing the ideas of seceding from the CIS, the evacuation of Russia's military bases in Georgia and the necessity of the CIS peacekeepers to leave Abkhazia (Filippov, p. 1834). Moreover, during the rising tensions between Russia and Georgia on Pankisi, a US Army force, albeit in limited numbers and powers, was deployed in Georgia in 2002 and began supervising military reforms in Georgia (Coppieters, p. 202). All this convinced Moscow that it

was in Russia's best interest to maintain the current situation in Abkhazia and South Ossetia, and caused Russia to shift its position on the conflicts in Georgia (Francis, p. 150). In this regard, Russia has softened its isolation policy and embargo against Abkhazia (Fischer, p. 22), lifted the restrictions on the Russian-Abkhaz border (Francis, p. 150), and started to issue passports of the Russian Federation to residents of Abkhazia and South Ossetia. From this time on, she systematically has supported state building processes in these regions in political manner and subsidized their economy. Moreover, from the time of Putin, the presence of Moscow's security personnel in South Ossetia has increased. During the 2000s Russian support played an ever-growing role in the development trajectories of the two '*de facto* states' (Fischer, p. 47). This day by day strengthened the dependence of Georgia's breakaway regions on Russia, and this continued until the Russian-Georgian War broke out in 2008.

What was interesting here is that, according to information given by Coppieters (2004), while Russia was distributing passports to residents of Abkhazia, keeping its borders with Abkhazia open and revitalizing its economic and commercial relations with this region; she continued to consider Abkhazia's legal status officially within the 'territorial integrity' of Georgia (p. 196). As a confirmation of this, Francis (2011) told that even in such a period in which Russia increasingly engaged with Abkhazia, Russia's policy towards Abkhazia's *de jure* status did not change and Moscow continued to envisage Abkhazia officially as a part of Georgia (p. 150). However, as Allison (2008) elaborated in detail, "Russian recognition of Georgian territorial integrity seemed to be expressed narrowly in the sense of not voicing territorial claims on Georgia" (p. 1147). This shows that as Moscow moved away from her allied relations with Georgia and her relations with breakaway regions improved, Russia's view of Georgia's territorial integrity also changed. At the very least, she stopped mentioning firmly about the 'territorial integrity' of Georgia as she did in during 1990s and the territorial integrity of Georgia remained only as a rhetoric. In this sense, Wheatley's (2010) statements also supports what Allison, Coppieters and Francis said: According to him, "Moscow's attitude ... began to harden against the notion of Abkhazia as part of a

federation with Georgia” (p. 221) and “while publicly Russia still recognized Georgia’s territorial integrity, a subtle change of emphasis could be observed” (p. 221). Starting from 2002, Russia’s commence of refusing to continue with the trade embargo imposed on Abkhazia since 1996, and issuing Russian passports to residents of Abkhazia and South Ossetia should also be read in this context. In accordance with this deterioration of relations between Moscow and Tbilisi, since the last months of 1999, Abkhaz authorities radicalized, and abandoned their proposals for confederation and free associated state with Georgia, which they supported in the period until October 1999²⁴²; and began to state that they would not accept any proposal other than international recognition of fully independent Abkhazian State (Francis, pp. 98-99). From this moment on, Abkhaz officials told that if any free association is to be considered, it could only be with the Russian Federation, which was an indication that the breakaway regions of Georgia started to develop some kind of an alliance with Russia (Coppieters, pp. 197-198).

As detailed above, the negative attitude of the Abkhaz side towards any solution that would force them to be with Georgia from the late 1990s onwards, has greatly challenged also the UN mediator’s efforts to find a solution, just as it negatively affected the Russian solution efforts; and Abkhazia’s insistence on the recognition of its sovereignty led a deadlock in the negotiations during these years. However, the UN process had needed to be revitalize due to the failure of Russia to resolve the issue and the increasing distrust of the parties towards Moscow; and this led to the activation of the “UN-led Geneva process in July 1997” (Francis, p. 145), right in the days it was understood that the Primakov’s Protocol would yield no result. Then, it would be more accurate to read the revival of the UN mediation in the context of competition. As in the resolution of many other international crisis, there has been a competition between Russia and the UN channels in the resolution of the conflicts in Georgia (Francis, p. 152). A revitalization of the UN mediation was already being considered in the days when the Primakov’s Protocol was put forward, and the reason why the Primakov’s Protocol has been propounded quickly

²⁴² It is because of the fact that only these proposals would provide right to national self-determination, state sovereignty and right to secession for Abkhazia.

by Russia was partly because of this (Francis, p. 152). Hence, the UN's revitalization of the mediation process in July 1997 was actually a response to the failed mediation efforts that Russia has been continuing for some time. Howbeit, no serious result was achieved also by UN until 1999.

In 1999, Liviu Bota, the UN Secretary-General's Special Envoy to Georgia and who commenced the revitalization of the UN process in July 1997, took the most serious steps to restart the locked talks, and, together with his successor Dieter Boden, they had started a series of consultations with Group of Friends of the UN Secretary General on Georgia, which was established on France's initiative in order to observe UN-led mediation processes, to help UN Secretary-General and to implicitly balance Russia's dominant position in Georgian Crisis (Coppieters, p. 198). Countries that make up this group were France, Germany, the United Kingdom, the United States and Russia, and the negotiations between these powers were aimed at achieving a minimum compromise between Russia and the West on the resolution of the problem (Coppieters, p. 198). These consultations were bear fruit in 2001, and the basic principles of any future peace agreement between Georgia and Abkhazia were reflected in a draft called as the 'Boden Document', which finalized by Dieter Boden, who took over the flag from Bota towards the end of 1999. This agreement, a compromise between Russia and the West, emphasized both the 'territorial integrity' of Georgia and the 'right of national self-determination' of both Georgians and Abkhazians (Coppieters, p. 199). This seems quite complex, but the Boden Document tried to find a balance on these two principles, and this purpose created the formula found in the document in question (Coppieters, p. 199): This formula was based on the statement of the document saying that 'Abkhazia is a sovereign entity, based on the legal norms, established within the sovereign Georgian state'. According to analysis of Coppieters (p. 199), such a formulation clearly excluded the possibility of a confederation and free association of states for Georgia, since it involuntarily kept Abkhazia without a full sovereignty in Georgia. Such a statement was rather a sign of a federation in which Abkhazia would had extensive powers to the degree of 'federated or associated state' that no other unit within the state could enjoy; thus, it implicitly evoked a

'federacy' (an associated state, but not freely) or an asymmetric federation. In other words, this kind of a formula either indicated the creation of kind of an 'associated state' without a unilateral right of secession for Abkhazia in a non-federalized Georgia (this refers to *federacy*); or it signaled a constituent 'federated state' for Abkhazia in a federalized Georgia, which would most probably took the form of an asymmetric federation, considering Abkhazia would had more powers comparing with the other regions of Georgia, which required to be given some other federal status for the federalization of Georgia particularly the regions like South Ossetia and Adjara. The document in question paved the way for both. As seen, in the aforementioned formulation, Abkhazia was considered as a sovereign political entity rather than a fully sovereign state (Coppieters, p. 199); and this confirms Coppieters' analysis, in the sense that an entity that does not have an internationally recognized sovereignty and independence, separately from the state it affiliated, cannot establish a confederation or a free association. However, the fact that Abkhazia was kept in Georgia does not mean that Sukhumi would subordinated to Tbilisi (Coppieters, p. 199). According to this document, both parties would obtain their authorities from the Federal Constitution, which will be drawn up according to the federal agreement that prepared by a consensus of both sides; and would equally subjected to the Federal Constitution (Coppieters, p. 199).

According to the information provided by Coppieters (2004), all the talks held so far were based on the idea to create a draft on which Russia and the West have agreed on the solution of the Georgian crisis, and to facilitate the reconciliation of Georgia and Abkhazia in terms of solving the more institutional and detailed sides of the problem, by force of the framework established in the draft agreement between international powers (p. 201). At this point, Western members of the Group of Friends expected Russia to persuade Abkhazia (Francis, p. 149). However, it was not possible to say that this optimistic approach was realized. Although Moscow supported the proposed draft, she was not willing to press Sukhumi to meet with Tbilisi, due to the existing problems of Russia with Georgia (Coppieters, p. 201). Whereas, a pressure on Sukhumi was desperately needed to make it discuss such a draft, which Abkhazia thought that its concerns on full sovereignty, right to national

self-determination and international recognition were not written down. This paper also underlines the ‘territorial integrity’ of Georgia without an emphasis for a security guarantee for Abkhazia, something inadmissible for Abkhazia (Francis, p. 150). This resulted in a solution proposal, which was quite similar to Russia’s federal structure as will be discussed in the following chapter, to not be implemented and instead to the continuation of the current status quo and the frozen conflict. This attitude of Russia confirms the above-mentioned view that as Russia moves away from alliance relations with Georgia and started to develop kind of an alliance with Abkhazia and South Ossetia, Moscow’s perspective on Georgia’s ‘territorial integrity’ has changed and she was not as persistent as before in this respect. Accordingly, in the ongoing process, the Russian government started not to discuss the further stages of traditional UNSC proposals that suggested a federal arrangement that would satisfy Abkhazia while taking into account the territorial integrity of Georgia, which made any bargaining over the Boden Document a futile attempt (Coppieters, p. 202) and left both the Boden Document and the previous proposals of the UNSC just as an initiative. I mean, Russia had been an important part of the traditional consensus within the UNSC until this phase, and in this context, she advocated a federal arrangement for Abkhazia and that it should be done within the ‘territorial integrity’ of Georgia. However, as she began to conflict with Georgia, she started to move away from this compromise formula and ultimately caused the current status quo to continue. So, there was a certain change in the policy of Moscow.

According to Coppieters (2004), another reason of inconclusive resolution of the Georgian-Abkhaz crisis is that there was a rivalry between Russia and the UN’s Western elements to play the leading role in resolving the problem (p. 202). As will be remembered, the US has monopolized the solution of the Bosnian crisis and played the leading role in the signing of the Dayton Agreement. According to Coppieters (2004), there was no dominant actor in Georgian Crisis whose leadership has been accepted by other international actors as in the Bosnian crisis (p. 202), and this multi-polarity is what led status quo to continue. However, it seems unreasonable to me to agree with this view. Looking at the alliance relations

of Tbilisi and Sukhumi with Moscow and the previous solution proposals of Georgia and Abkhazia, it can be said that Russia had mechanisms that could affect the actors who were the parties to the problem. For example, by instrumentalizing Abkhazia and South Ossetia, Russia managed to keep Georgia in its own line until the late 1990s; and at this time she supported proposals suggested that the ‘territorial integrity’ of Georgia should be preserved and that Abkhazia should have a legal entity within this territorial integrity. Indeed, Georgian officials will be convinced of this that they submitted similar federal proposals during the period in question. To give another example, as a result of the deterioration of relations between Moscow and Tbilisi towards the end of the 1990s, Russia started not to insist on the ‘territorial integrity’ of Georgia as before; and it will depend on this that the Abkhaz authorities have become radicalized and have begun to express their opposition to any association with Georgia. The Boden Document was part of this period, and one of the most important reasons for the failure of this document was Russia’s apparent reluctance to press Sukhumi to discuss the details of this document with Tbilisi, and Moscow’s unwillingness to discuss the further stages of this document with the Western powers in UNSC. All these, to a large extent, pointed to Russia’s leading role on this issue and its influence on the parties of the conflict; and it is the loss of motivation of Moscow in the last period to preserve the territorial integrity of Georgia what led to status quo to continue. No matter how, the Boden mediation failed as a result of an Abkhaz refusal, which observed Russia’s waning interest in preserving Georgia’s territorial integrity and whose improving relations with Russia consolidated its *de facto* status and self-confidence; and the ambiguous status quo pursued to live. From this time forth, the issue of status generally was not addressed and Moscow and Tbilisi made some agreements solely over improving the existing status quo as in the Sochi Agreement in March 2003. However, it wouldn’t be wrong to say rather than ameliorating the status quo, Russians were more interested in not “to miss an opportunity to influence the process to their benefit” (Francis, p. 152), and to reassert its central role in negotiations, by fearing of the new phase of UN resolution attempts after Boden.

In November 2003, another era was opened for Georgia. There have been protests and demonstrations throughout the country over allegations of election fraud in the elections held. These demonstrations, which grew to become a popular movement over time, were called the 'Rose Revolution' and resulted in Shevardnadze's departure from his post and replacement of him by pro-Western Saakashvili, who started the opposition movement in 2001. The new leadership tied domestic, political and economic reforms to a foreign policy of Euro-Atlantic integration and the desire to reunify Georgia as rapidly as possible (Fischer, p. 46). This demonstrated that the new government had a program to prioritize its relations with the USA, the EU and NATO and "seek to escape Russia's efforts for influence and integration" (Fischer, p. 14). In this context, Russia was started to be seen as an enemy, and Tskhinvali and Sukhumi (capitals of South Ossetia and Abkhazia, respectively) as Moscow's puppets. Based on this, the relatively mild attitude towards Abkhazia and South Ossetia during the period of Shevardnadze, would be replaced by a harsher nationalist discourse and a proactive stance in favor of reinstating the territorial integrity of Georgia. According to Saakashvili, the achievement of many goals, such as the democratic, humanitarian and economic development of Georgia, primarily depended on the restoration of Georgia's territorial integrity, which meant that Saakashvili did not have enough patience to reach for any solution (Francis, p. 153). For him, Georgia's elimination of its ethnic problems would contribute also its entry into NATO (Francis, p. 153).

To be able to do these, he thought that Moscow should be excluded from the negotiations or its influence should be reduced (Francis, p. 153); besides, he drew attention to the point that it was also necessary for the CIS peacekeepers to leave the breakaway regions and it should be replaced with an international police force (Francis, p. 155). All of this led nothing more than worsening the Georgia-Russia relations, which have not been good since August 1999. The new administration of Georgia, which completely shifted the helm to the West, completely burned her bridges with Russia by embracing an anti-Russian stance. As Filippov (2009) pointed out, especially after these years, Russia has chosen to escalate this tension as well: According to his theory of "diversionary tensions" (pp. 1825-1830), the

Russian government mostly prefers to be in 'diversionary tensions' with the West for its domestic policy goals; and for these 'virtual tensions' she often uses conflicts in the post-Soviet region, due to the fact that it is a 'safe', 'manageable' and 'low-cost' space for Russia. The intensity level of these tensions were generally optimized according to the Western reaction given to the action of Moscow and the current needs and capacity of Russian incumbents. Then, these tensions are instrumentalized in domestic politics to divert people's attention away and give the Russian government a strong hand by isolating what is happening in domestic politics from any possible international and Western criticism. Georgia, which was a suitable country after the election of Saakashvili to show to the Russian domestic audience as a small proxy of an adversary and strong international actor, and conflicts within its territory was used by Russia as a tool in this strategy, especially after 2004.

Another tragic event that took place in September 2004 dealt a fatal blow to Georgia-Russia relations. A school in the city of Beslan of North Ossetia-Alania, a republic neighboring Chechnya in the North Caucasus of the Russian Federation, was raided by separatist Chechen militants and more than a thousand people, including students inside the school, were taken hostage. In the following period, more than 300 people lost their lives in the armed conflagration that broke out as a result of the heavily armed counterattack by Russian security forces, who wanted to end the siege. This incident traumatized the Russian public and has been called the 9/11 of Russia (Filippov, p. 1835). In particular, it created a sharp 'terrorism' sensitivity in Russian foreign policy, and Moscow claimed that Georgia has become a puppet of enemies who want to weaken Russia, by further sharpening its accusatory attitude towards Georgia, which she accused of hiding terrorists (Filippov, p. 1835). After this incident, Georgia was more and more demonized in the Russian public opinion, and many top Russian officials, such as Russian Foreign Minister Lavrov, claimed that the Beslan attack was linked to Georgia; thus an image was created that Tbilisi and its new Saakashvili-led government cooperate with terrorism. All this ended with an intensified tension in which Georgia to

become firmly out of Moscow's line and Moscow to shift prominently towards the alliance with the separatist Abkhaz and Ossetians.

The Russians have hardly ever participated in the solution processes after that. Even, they has begun to withdraw its support from UNSC resolutions that they previously supported and which referred to Georgia's 'territorial integrity' and Boden principles, or they insisted on new resolutions that had no mention of those; and this publicly manifested that Boden Document and the idea of establishing a federation including Abkhazia within the territorial integrity of Georgia was deceased in the eyes of the Russia (Wheatley, p. 222). Francis' (2011) remarks also support this view of Wheatley: At least until 2006, Moscow did not back down in its rapprochement with the breakaway regions, but she also did not take a step to formally challenge Georgia's 'territorial integrity'; however, from 2006 onwards, Moscow had changed its approach significantly and began to object to the UNSC's long-standing resolution template stating that the status of Abkhazia should be determined within the territorial integrity of Georgia. In this context, Russia has ensured the erosion of the part, which mentioned the necessity that Abkhazia's status within the Georgian State should be defined based on principles such as the territorial integrity and sovereignty of Georgia, in the UNSC resolutions. It is clear from this that Russia has been affected by the developments in Kosovo in this new approach (pp. 158-159). As Kosovo came closer to independence, Russia's attitude towards Georgia began to harden. From that time on, Russians start thinking that the breakaway regions of Georgia could also be independent.

The Russian-Georgian war in August 2008, which started after Georgian offensive on Tskhinvali that occurred when Saakashvili braced up by his success in establishing central authority in Adjara-another problematic region of Georgia, was the peak of the tension that has been going on since the early 2000s and led Russia to pluck parts of Georgia. In the following period, Moscow recognized the independence of Abkhazia and South Ossetia and started to provide budget support and other social benefits to these two, based on the agreements she made with them. More importantly, she installed military units in Abkhazia and South Ossetia that ensure the border security of these areas. After this time, territorial integrity of

Georgia and any federal proposal was out of question and Lavrov told that “every state has the duty to refrain from any forcible action which deprives peoples of their right to self-determination and freedom and independence” (as cited in Allison, p. 1154), which showed that Russia prioritized ‘right to self-determination’ of her new allies rather than ‘territorial integrity’ of her old friend in the present instance.

What is noteworthy here is that Moscow has realized the precedent, which she has objected to in Kosovo. As detailed earlier, Russia opposed the independence of a *second-tier* or *lower-level* federated unit remaining from any federation on the grounds that this would constitute a precedent for Russia’s second-tier units. However, this happened at the beginning of 2008 in Kosovo, despite all the objections of Russia. The independence of South Ossetia and Abkhazia, as a lower level units of extinct USSR, meant that this was the first time this precedent took place in the post-Soviet region; and this has interestingly backed by Russia, contrary to her position in Kosovo. It is probable that Russia deviated from its line as a reaction to what was happening in Kosovo and adopted a new policy. The most remarkable thing was that “in recognizing Abkhazia and South Ossetia as independent states, Russia broke openly for the first time with its commitment to the existing post-Soviet borders” (Fischer, p. 48), what created a question mark in minds whether it can be interpreted as a break in Russian foreign policy, considering the opposite attitude she took in Georgia during 1990s and also in non-post-Soviet Kosovo just a few months ago. By looking at what happened few years later in Crimea and Donbass, it will be seen that these doubts are not so wrong; and now Russia is trying to repel Western revisionism in her sphere of influence by following the method of punishing the ones in the post-Soviet Eurasia who intended to approach to the West and failed to comply with the Russian line, relying on the precedent of Kosovo²⁴³, which demonstrated that the principle of ‘inviolability of state borders’ could be violated and a ‘humanitarian intervention’ in a sovereign state “to prevent a humanitarian catastrophe and realize ... people’s self-determination” (Allison, p. 1160) could be possible:

²⁴³ Contrary to the West, according to Moscow it is a non-*sui generis* precedent and it may also be applied in other cases like South Ossetia and Abkhazia if it has been applied in Kosovo.

“With the annexation of Crimea and the war in Donbass, Russia has for the first time itself instigated secessionist conflicts with the objective of destabilizing a neighboring country” (Fischer, p. 9) and from now on, she “asserts the right to impinge upon the sovereignty and territorial integrity of its neighbors, where this serves the greater goal of countering the expansion and strengthening of the Western model and order” (Fischer, p. 11).

Looking at what is happening in Armenia today by the way of the Nagorno-Karabakh crisis, it become easier to understand what Moscow aimed in Georgia in 2008: As could be easily guess that “conquering Tbilisi ... was ... not an objective of the Russian political leadership” (Allison, p. 1164), but the objective of Moscow was “bringing down the Georgian Government, and specifically toppling President Saakashvili...” (Allison, p. 1164) in those days, in order to “counteract the NATO and US presence” (Allison, p. 1170) in one of the neighbor state. Through the military blockade and economic pressure, it was expected a revolt to be break out in Tbilisi, which topple the government of Saakashvili and led Moscow to get rid of an American-led Western project at the end of the day. Thus, it is seen that Russia explored “the possibility of encouraging a collapse of the Georgian government” (Allison, p. 1164) in 2008, as she seems doing the same for Pashinyan nowadays.

3.4 ‘FEDERATSIYA’ vs ‘TERRITORIAL INTEGRITY’

Considering the flow of events in these three cases, Russia’s attitude while participating in this flow, and ultimately Russia’s solution proposals in these crises, it is revealed that Russia makes an alliance assessment before intervening in any crisis and determines a solution proposal accordingly. When the flow of events in each case was examined separately, it was found correct to define the concept of ‘alliance’ for Russia, within the scope of this thesis, as a follows: 1) For the countries that are not in the immediate environment of Russia (non-post-Soviet countries), I define the actors as ‘allied’ with Russia, which enable Russia to articulate her voice independently and to realize her foreign policy objectives through that actor in international crises - in other words, actors that Russia take advantage of during the global issues; 2) for countries located in the immediate

vicinity of Russia (post-Soviet countries), ones that have not been involved in Western organizations after the dissolution of Soviet Union or have not begun to negotiate inclusion into these. That is why, in the latter type of countries, Russia prioritizes to keep the country in its own line before mulling over to articulate any independent voice through it. I mean, in both of them, it never means a strictly and comradely allied axis. Moscow calls the countries as an ally which provides an opportunity for her to realize her foreign policy objectives by instrumentalizing it, and she generally chooses to do so through countries that are not integrated with the Western institutional system.

Based on this definition, Moscow has preferred to be involved in the crises experienced by the countries it considers as allies by offering solutions to protect the ‘territorial integrity’ of those countries. In such a situation, it does not matter whether a country is post-Soviet or not. This is what she did in non-post-Soviet Kosovo and at least until the early 2000s in post-Soviet Georgia. As for the crises experienced in countries that she does not consider as allies, she has prioritized participating in the solution proposals put forward in terms of solving the problem and protecting the integrity of the countries in question, and to work on an equal basis with its partners in order to realize these proposals. By doing so, she tried to prevent the unilateral resolution of the problem by the West and to become a partner in any agreement to be made. This is what she did in Bosnia. As Coppieters (2004) said, Russia, which has been frequently faced with the threat of separatism traditionally, has a special sensitivity to maintain the principle of ‘territorial integrity’, regardless of whether any country is an ally or not (p. 214), and at least until Kosovo precedent in 2008, this attitude continued and Moscow did not *de jure* destroy the territorial integrity of any country. The policies she followed in Georgia from the early 2000s to 2008, and in Moldova and Azerbaijan are in line with this, although latest two are not the cases addressed by this thesis. The separatist regions in these countries²⁴⁴ were used by Moscow at most as a leverage against the central governments of these countries, and the conflicts in these countries were frozen in

²⁴⁴ Abkhazia, South Ossetia, Transnistria and Nagorno-Karabakh.

order to keep this lever permanent. After the Kosovo precedent in 2008, Russia's attitude towards countries that are not her allies in the post-Soviet region has become quite harsh and *de jure* began to disrupt the integrity of these countries. This is what she did in Georgia after 2008. Although it is not one of the cases dealt with in this thesis, the policy she followed in Ukraine through Crimea and Donbas is also an example that can be given to this attitude. As concerns her attitude towards post-Soviet or non-post-Soviet allies remained unchanged and she continued her sensitivity to preserve the territorial integrity of these elements. Syria is one of the most recent examples that can be given on this issue. Undoubtedly, this issue has parts to be further elaborated and should be supported by other indicators; however, this is not the main part where this thesis will contribute to the literature.

What is more striking in the context of this thesis is that all of Russia's proposals for solutions with an emphasis on territorial integrity, which Russia itself put forward or participated in, indicates to a 'federalized territorial integrity'. In other words, all solution proposals with the purpose of protecting the territorial integrity of a specific country that put forward by Russia or which she is involved in make a federal regulation within the territorial integrity in question. However, what is even more interesting is that these federative proposals, in whatever form or name, bear great similarities with the own federal structure of the Russian Federation. In other words, when having a look at the proposals that Moscow has hold forth or get involved as a solution, it is easily observed that these proposals bear the characteristics inherent to the Russian federal system, which is called as '*Federatsiya*' within the scope of this thesis. At this point, the extent of Russia's involvement in the problem does not affect the result.

In Bosnia, the first case to be evaluated in this context, the Vance-Owen Plan, Contact Group Peace Plan and Dayton Agreement come to the fore. The main focus of this thesis will be on Dayton, as the outcomes of these plans have largely produced the consequences of the Dayton Agreement (Caplan, p. 216). However, before moving on to Dayton, it is useful to have a look at the London Conference in August 1992. Unlike the plans mentioned above, the solution proposals put forward in this conference focused on Yugoslavia itself, not Bosnia, which left

Yugoslavia. As detailed in Section 3.1, considering the fact that the criticism of domestic politics in the summer of 1992 and the objective of achieving macro foreign policy goals created a change in Moscow's foreign policy and brought Moscow closer to Belgrade towards 1993, Russia's solution proposal in London Conference becomes important. According to the information provided by Edemskii (1996); in August 1992, at the London Conference, a European Commission and UN initiative, Russia asked at least the external borders of the rest of Yugoslavia to be inviolable, and to give special status to the national minorities within these borders by being guaranteed their rights (p. 37). In other words, Russia made a proposal, which envisage to protect the territorial integrity of Yugoslavia, which she started to consider as an ally again by the end of 1992, but at the same time to grant special status and rights to the minorities that remained within Yugoslavia. What is very interesting here is that this is a proposal that is quite convergent to the model of territorial integrity implemented in her own country. Russia has offered Yugoslavia a territorial integrity in which different national communities within a country have various rights and status, just as she did in her country. While making this proposal, it is clear that she was referring to the regions such as Albanian-inhabited Kosovo within Serbia and Serbian-populated Krajina in Croatia; and the situation of the communities living in these regions are similar to the Tatars, Bashkir and dozens of other national communities living in Russia. There was no emphasis on federalism in this proposal, which would be due to the fact that the proposal was not elaborated too much. However, it was obvious that Yugoslavia's decades-long history of federalism and Russia's emphasis on granting a special status to national minorities within Yugoslavia would have a conclusion converging to federalism at the end of the day. In that case, Russia's proposal within the scope of the London Conference pointed out both a territorial integrity that have indicators of federalism and features that would resemble her own federal structure within this integrity.

When it comes to Dayton, the first article of the Dayton Agreement included guarantees of territorial integrity (Hughes, p. 998). However, the territorial integrity that emerged under the Dayton Agreement is one of the most fragmented models

of territorial integrity ever seen. Within this context, it is impossible to not to say that there are many features, which make the Bosnian Federation similar to the Russian Federation. As Burgess take notice of (p. 37), there is a striking situation that makes Russia quite similar to Bosnia in creating a genuine federal state structure based on a constitution. Among the post-Soviet states there is no other country other than Russia that has succeeded in creating a federal system formed by a federal constitution, but among the post-communist states there is another country that has accompanied Russia's success, which is undoubtedly Bosnia. Bosnia is the successor of a communist federation, just like Russia, and as a result of the Dayton Agreement of December 1995, it had set out to maintain this federal heritage, again just like Russia. As it is known, Federal Yugoslavia, of which Bosnia and Herzegovina was a part, was a federation managed by a single party in a unitary and authoritarian way, just like the Soviet Union of which Russia was a part. This situation has led to the absence of a democratic political culture, which is of vital importance for a federation, in Bosnia as in Russia. That would be the reason why both of these countries have witnessed violent ethnic conflicts in the post-communist era. Having deep-rooted institutions and being a great state, Russia somehow controlled these conflicts and somehow managed to hold the country together by applying various methods discussed in the second part of this thesis. However, in Bosnia, which is a much smaller country where distrust is at its peak among the ethnic communities living in the country, the conflicts could not be restrained and the country was dragged into a great civil war. In this context, the power of the international community had to be used to keep Bosnia together in the post-communist period. One of the countries that participated in political processes to hold Bosnia together was Russia, with which it shared a similar past. Although not active in Dayton, Russia strongly supported plans such as the Vance-Owen Plan and Contact Group Plan, which prepared Dayton's infrastructure. Therefore, it can be said that Bosnia is an example close to a 'holding-together federation', similar to Russia. Keil (2013) also says that Bosnia is a holding-together federation (p. 122). The reason why the expression 'a close example' is used here is that Bosnia was held together as a result of the efforts of great powers rather than its own will.

In Keil's words (2013), "post-Dayton Bosnia, can be characterized as an internationally administered federation that is based on imposed federalism" (p. 102). So, what occurred here is a holding-together federation that is further from the ideal type due to international pressure; however, what has been done in the end is to hold together a state, which was previously governed by unitary practices even though it is a federation, and which was united within itself but is about to disintegrate, in a multinational federal system, and this is also what is happening in the holding-together federations. This is also what was done in Russia, which is a closer example to holding-together federations; although it is a federation, a state governed by unitary practices tried to be held together by being transformed into a genuine federation. In this respect, it is possible to say that the federation established in Bosnia is similar to Russian federalism from the very beginning.

Another feature that makes Bosnia similar to Russian federalism is that the country is 'multinational' and therefore the federal structure is built on ethnic communities. Bosnia is a multinational country consisting of Muslim Bosniacs, Croats and Bosnian Serbs. The Dayton Agreement tried to keep this multinational structure together by dividing it into two parts, as the unitary *Republika Srpska* where Serbs live, and the Muslim-Croatian Federation or the Federation of Bosnia and Herzegovina, where Bosniacs and Croats live together and which is divided into ten cantons within itself. The Serbian entity and the Federation of Bosnia and Herzegovina make up 49 percent and 51 percent of the territory of Bosnia and Herzegovina, respectively. Of the ten cantons established within the Federation of Bosnia and Herzegovina, five are Bosniac, three are Croatian, and the remaining two are mixed cantons populated equally by Bosniacs and Croats. These two divisions basically form the Bosnian Federation. As their names suggest, all of these divisions were built on the existence of ethnic units and created an 'ethnic-based federalism'. This is one of the two main features of post-Dayton Bosnia and Herzegovina, according to Florian Bieber (as cited in Keil, p.95). Considering the fact that one of the first federations that comes to mind is undoubtedly Russia in terms of the characteristics of 'multinationalism' and 'ethnic federalism', it is not possible to say that Bosnia's federal structure is not similar to Russia.

Moreover, there is a wide debate in the literature that Dayton and the Bosnian Constitution did not actually intended to internalize ethno-federalism. According to this approach, Bosnian Federation does not principally contain an ethnic federal system, when the Bosnian Constitution is examined in detail, it is seen that it tries to provide a ‘territorial power-sharing’ and territorial elements (Keil, pp. 95-96). Indeed, it is quite true once the Bosnian Constitution reviewed carefully. To give an example, as detailed below, constitutional articles that determines consociational management for institutions such as the Council of Ministers and the House of Representatives, emphasize the name of federated units that formed the federation instead of the national groups (Keil, p. 101). In other words, a method of expression was preferred as ‘members of the Muslim-Croat Federation and members of the *Republika Srpska*’, rather than referring it as ‘Bosniak, Croat and Serb members’. This is an indication that Dayton and the constitution intended to place the country on a ‘territorial-federal basis’ and a ‘territorial representation’, taking into account the ethnic cleavages in the country. However, it is obvious that there is an underlying ethnic emphasis even in this kind of expression, as there is an attempt to equalize the number of representatives of ethnic communities in every institution of the state (Caplan, p. 219). Moreover, there are also places in the constitution where ethnic emphasis is clearly made. House of Peoples is one of them, and the names of ethnic groups are clearly highlighted here. In support of this argument, the veto power in the House of Peoples is not given to the so-called territorial units, but to national groups (Keil, p. 101). The Presidential Council can also be given as an example here. These are all an indicators of ‘ethno-national representation’ in Bosnia. All this illustrated that Dayton and the constitution was tried to build a ‘territorial-federalism’ in Bosnia, but what emerges in the final analysis is an ‘ethno-federalism’ that has also territorial-federal features. To put it another way, Bosnian Federation is a kind of mixture of both ethnic and territorial representation, where ethnic one seems to be predominant. Interestingly enough, this is a situation we are quite accustomed to in the Russian federal system. After the collapse of the Soviets, Russian governments have always tried to strengthen territorial-federalism in their country. However,

since it was impossible to reject ethnic federalism in Russia, just as in Bosnia, the ethno-federal units has always remained as the engine of Russia's federal system and territorial-federalism was solely accompanied this. When viewed from this aspect, the Bosnian Constitution and Dayton are quite similar to Russian federalism in both their tendency towards fully-fledged territorial federalism and its failure fully to do so due to various constraints.

There is also another similarity, which is due to the 'power-sharing' that was created to build the post-Dayton political system in Bosnia and Herzegovina, which is, according to Bieber, another of the two main elements of post-Dayton Bosnia (as cited in Keil, p.95). According to Lijphart, particularly in the divided societies as Bosnia, power-sharing and group autonomy are desperately needed in order build a democratic state (as cited in Keil, p.96). Pursuant to him, power-sharing "denotes the participation of representatives of all significant communal groups in political decision-making, especially at the executive level" (as cited in Keil, p.96). Speaking of group autonomy, he prioritizes "the recognition of different groups within a polity, by providing them with autonomy in the areas of culture and education ..." (as cited in Keil, p.97). In keeping with the first part of this approach, Dayton has created a consociational democracy in the central executive power of Bosnia and Herzegovina, in which different ethnic communities will jointly participate in government. In this context, a "tripartite presidency" (Gromes, 2010, p. 361) has been established in the Presidential Council, which is the first element of executive power and the highest authority in Bosnia. Accordingly, an organization has been established for the Presidential Council in which three representatives from three different communities, one Bosniac and one Croat from the Muslim-Croat Federation and one Serb from the *Republika Srpska*, have been established. In accordance with this order, each representative presides over the Presidential Council in rotation every eight months. The situation is similar in the Council of Ministers, which is another branch of the executive power. At most two-thirds of the representatives here come from the Muslim-Croat Federation, and one-third must from *Republika Srpska*. The situation is not different also in legislative bodies. The House of Representatives, the lower chamber of the Bosnian legislation, has

42 members, with two thirds coming from the Muslim-Croat Federation, and one third from the *Republika Srpska*. As for, House of Peoples, which is the upper chamber, consists of 5 Bosniacs, 5 Croats and 5 Serbs. This is unlike Russia, as it reminds of a “confederal, consociational system” in the words of Bose (2002); and rather was inherited to the Bosnian Federation as a method implemented in Yugoslavia after Tito’s death (Bose, p. 68). So it’s more of a Yugoslav practice rather than a Russian one. However, Bosnia is similar to Russia in terms of two other issues concerning power-sharing. In accordance with the second part of Lijphart’s approach, federated units based on the autonomy of ethnic communities were also established in order to recognize different groups within the polity of Bosnia, a practice of Russian federalism. As mentioned above, the arrangement in Dayton dividing Bosnia into two main entities provides autonomy and statehood to the peoples that make up Bosnia and Herzegovina. Dayton organized these two units in some sort of “mini-states” that these units would have their own parliaments, presidents and limited military (Bowker, p. 1254). They also have control on the biggest share of their revenues and on the border security forces (as cited in Keil, p.107). Also, entities would have jurisdiction on matters such as taxation, education, justice and separate police forces (Caplan, p. 219). In this respect, these units formed by Dayton in sovereign Bosnia resembled to the republics with that have extensive statehood within the sovereign Russian Federation. In parallel with the former, another one is that the political system created by Dayton show similarities particularly with the federal order of the Russian Federation between 1991-1999, since it has created a highly decentralized federal structure that the federal center is very weak and most competences are largely used by the federated entities of the federation. According to the information given by Keil (2013), there are no mention of issues related to taxation, military control and border control in the articles of the Bosnian Constitution, which lists the competences of central authorities of Bosnia. Not granting of such vital powers to the central authority is shown as an indication of how weak the central authority is and how decentralized Bosnia is (p. 109). So much so that, Bieber (2002) called it as “loose multinational federation”, a concept used to refer federations close to a

confederation (p. 209). Likewise, Keil (2013) described it as a “loose federal union” (p. 110). Gromes (2010) also draw attention to the great power of entities and put an emphasis on the lack of authority of the central state on matters related to defense (p. 360). However, although Bosnia is decentralized so that it converged to confederalism, it is certain that Bosnia is a federation according to Dayton (Keil, pp. 107-108). According to the examples given by Stahn, the fact that the Dayton Constitution makes the central state as the sole authority in matters of Bosnian citizenship and the Dayton Constitution is superior to the constitutions of the units, removes the question marks whether Bosnia is a federation (as cited in Keil, p.107). As will be remembered, between the years 1991-99 Russia was also regarded as a highly decentralized federation due to the fact that she has involved in power sharing approaching to confederalism with some of its units such as Tatarstan and Bashkortostan.

The last similarity is related to the complex ‘asymmetrical’ structure of the Bosnian Federation. According to the information provided by Keil (2013), the source of the asymmetry was based on the differences between the decision-making powers and internal structures of the two units that make up Bosnia and Herzegovina (p. 110). In this context, the Federation of Bosnia and Herzegovina (the Muslim-Croat Federation) have relatively limited authorities. Since it is divided into ten separate cantons within it, the powers given to this federation are to a large extent delegated into these cantons, so the center’s power to decide on a matter is more limited (Keil, p. 111). By doing so, the “decision-making was decentralized to the smallest homogeneous unit, namely the cantons” (Keil, p. 111) in the Federation of Bosnia and Herzegovina, and cantons became the dominant actor in terms of decision-making. Indeed, when you have a look at the power-sharing among the cantons and the Federation of Bosnia and Herzegovina, it is seen that the situation is as Keil (2013) mentioned and many important powers such as police, education, tax, tourism and energy are left to the cantons (p. 111). Moreover, in the two mixed cantons of Federation of Bosnia and Herzegovina, some important competences such as education, were left to the municipalities, which are even smaller units, thereby it attempted to make the ethnic communities to continue to

benefit from specific rights in a homogeneous manner (Keil, p. 111). As one more thing to mention, the Federation of Bosnia and Herzegovina has a separate consociational democracy within itself, and in this sense replicated the model of the central level of the whole federation of Bosnia (Gromes, pp. 361-362); and this is actually what makes even the routine operations to function more slowly. On the contrary, *Republika Srpska* is far from this complexity by having a unitary structure, what makes the government of this entity without no doubt much stronger in decision-making power. In addition, the Brcko District, which is a unit built after Dayton by a court decision as a result of the disagreement between Serbs and Bosniacs during Dayton on the status of the region, and which divided the Serbian entity into two, can be regarded as the third unit of the Bosnian Federation. However, unlike the other two units, this entity has limited individual representation in central institutions and is not actually integrated into the federal structure (Keil, p. 111), which means that this unit is positioned much lower than the others. Moreover, this unit, although highly multinational, like the two mixed cantons of the Federation of Bosnia and Herzegovina, is not within itself decentralized and not subject to a sharp power-sharing like these two cantons (Keil, p. 115). All these examples, let alone the obvious asymmetry between the Federation of Bosnia and Herzegovina and the *Republika Srpska*, has shown the existing differences in authorities even between the cantonal structures (including Brcko), and the complex asymmetry in Bosnia (Bieber, p. 209). This situation, which seems quite complicated, is not too complicated for those who are familiar with the asymmetric federal structure of the Russian Federation, which is full of complexity. The federal structure of the Russia, which hosts different degrees of ethnic units authorized differently from each other, is similar to Bosnia in this aspect as well.

Regarding Kosovo, it can be easily seen that all of the solution proposals that Russia has proposed per se or got involved offered ‘special status and autonomy for Kosovo within the territorial integrity of Yugoslavia’. This approach was reflected in the proposal of Former Russian Foreign Minister Primakov in his meeting with Milosevic in March 1998. At this meeting, Primakov “reiterated Russian support for the principle that Kosovo should remain a part of Serbia but

urged a wider right of self-rule for Albanians” (as cited in Hughes, p. 1000). Primakov’s solution proposal for Kosovo was also approved by the Contact Group, which was composed of by Russia, USA, UK, France, Germany and Italy. In the summit declaration of the Contact Group on 25 March 1998, “a substantially greater degree of autonomy for Kosovo, which must include meaningful self-administration” (as cited in Hughes, p. 1000) was convoked. The London European Conference, which convened in the same month, made a similar call, underlining the need for an ‘enhanced status’ for Kosovo (Hughes, p. 1000). Likewise, UNSC Resolution 1160, issued on 31 March 1998, concretized Russia’s formula for a possible solution, while declaring an arms embargo on Yugoslavia. According to this resolution, “principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia” (as cited in Hughes, p. 1000); but there should also be “an enhanced status for Kosovo, which would include a substantially greater degree of autonomy and meaningful self-administration” (as cited in Hughes, p. 1000) within this territorial integrity. In the following process, Rambouillet talks was also emphasized the same formulation. Moscow’s attitude did not change even when Russia remained out of the process after the unilateral NATO operation. Petersberg Statement, which was put forward as a symbol of Russia’s return to the political process as a result of the shuttle diplomacy that Chernomyrdin made with the G8 Foreign Ministers, voiced also this formula. This statement mentioned an interim agreement “providing for a substantial self-government for Kosovo ... and the principles of sovereignty and territorial integrity of the FRY...” (Hughes, pp. 103-104). As detailed in the section 3.2, UNSC Resolution 1244, which came up as a result of all these attempts, was designed also in the same context.

When all these proposals made by Russia on Kosovo are considered, it will be seen that these are very similar to the almost all (except Boden) the proposals made by Russia for Georgia. In particular, when looking at Primakov’s proposal to Milosevic in March 1998, it will be noticed that this was almost the same as Primakov’s proposals to Tbilisi and Sukhumi at about the same time. However, what is more significant at this point is the similarities of the solution proposals

made by Russia to the Kosovo crisis with the federal order that Russia is accustomed to live in its own country. To give an example, according to the framework principles prepared during the Rambouillet talks, Kosovo would remain under the sovereignty of Serbia (Hughes, p. 1001), although it would have an autonomous status and a self-government. Similarly, UNSCR 1244 has proposed a “within state solution” (Hughes, p. 1005), in which Kosovo would have an autonomy, and this indicated that Kosovo would somehow subordinated to Belgrade. Both of these arrangements were strongly backed by Russia, and “had guaranteed that Kosovo would remain under FRY sovereignty” (Hughes, p. 1005). In such a case, the status of Kosovo would be just like the autonomous ethnic entities of Russia. As will be remembered, the republics and the autonomous *oblasts* and *okruhs* of Russia are also under the sovereignty of the Russian Federation, although they have autonomy and self-government on their own, and in this context, Moscow is at the center of the federal hierarchy. Looking at the proposals made by Russia, it seems that a similar ‘hierarchical relationship’ was desired to be established between Pristina and Belgrade. As another example, UNSCR 1244 and Rambouillet also intended to build a substantial autonomy for a specific community of FRY, within the territorial integrity of FRY, just because of its ethnic difference. This situation is reminiscent of the ‘ethnic structure’ of Russian federalism, one of the first examples that come to mind in this regard. According these proposals, Kosovars would be granted an autonomy due their ethnic distinctiveness, very much like the dozens of nationalities and nations in Russia. Also, the possible Yugoslav Federation that Kosovo would have a broad autonomy, would be resembled to the Russian Federation in terms of its ‘multinationalism’. To evaluate from another perspective, it would not be wrong to say that the Kosovo crisis was approached with a ‘holding-together’ mentality, similar to Bosnia. Kosovo, like Bosnia, is a successor to the Federal Yugoslavia, ruled by a communist single party with unitary administrative practices. The only difference of Kosovo from Bosnia is that while Bosnia and Herzegovina was one of the Socialist Republics that make up the Federal Yugoslavia, Kosovo was governed as an autonomous region of the Socialist Republic of Serbia, another of the Socialist Republics that formed

Yugoslavia. However, this administrative distinction did not make a difference in the reflection of the negative outcomes of the undeveloped democratic political culture in Yugoslavia to both regions. Every unit that was part of the Federal Yugoslavia had been equally affected by this environment of political intolerance. Albeit a little late, this is why the fire that burned Yugoslavia also spread to Kosovo, and the Kosovo crisis arose as the last crisis of Yugoslavia. During this crisis, the great powers have shown a reflex to hold Yugoslavia together at least in the rest of it, and within this framework made many commitments regarding the territorial integrity of Yugoslavia. Russia has been one of the most heavily involved countries in these commitments, and in doing so she had benefited greatly from her own federal know-how. Russia has a very deep experience of what methods should be followed to hold a country together. Based on this experience, one of the methods that she most frequently use in her own country is to give the units that are likely to be secessionist an autonomy enough to satisfy them, in return for these units to remain in the country. Looking at the proposals offered by Russia in Kosovo, this was exactly what she was intended to do in Kosovo. Russia has made commitments to Belgrade that its territorial integrity would be preserved in order to hold Yugoslavia together; however, considering that Kosovo must also be satisfied in order to do this, she made proposals to grant Kosovo broad autonomy within this integrity. Thus, Russia had benefited directly from the features that are inherent to Russian federalism, both in terms of approaching the problem with a ‘holding-together’ mentality and in the way she realizes it.

As Wheatley explains (p. 213), federal political systems can create ‘asymmetry’ in three ways. According to the *first*, a state that is normally unitary can establish a special autonomous status for one or more of its regions, and make a special arrangement that makes these autonomous regions distinctive from other regions of the country. In such a case, the autonomous units in question become quite privileged compared to other units of the country in terms of their rights and status; and such federations are referred to as ‘*federacy*’ in the literature. According to the *second*, a state can constitutionally decide to have a decentralized structure and, in this context, the regions in the country can be transformed into autonomous

units. In such states, one or more regions may be granted higher degrees of autonomy than other autonomous units for historical, cultural, political and various other reasons. *Third*, a state may be entirely federal and it may be asymmetrical in the sense that the federal center has a different degree of authority over each unit. That is, the division of power in between the federal government and units may be different for each unit. For instance, an issue that is not shared with many units or is determined as a common jurisdiction may be left to the exclusive jurisdiction of some other unit. Looking at the solutions proposed by Russia regarding Kosovo, it seems that the structure that Kosovo would establish within Yugoslavia would fit into one of these three possibilities in any case. To put it more clearly, considering the possible outcomes of the solutions proposed by Russia in the Kosovo crisis, there would be three possibilities for Belgrade: The *first* of these was that Yugoslavia would continue its life as a unitary state and would give Kosovo a special status and autonomy that no other region can benefit from. This would make Yugoslavia an asymmetrical structure by creating a *federacy*. *Second*, Yugoslavia would decide to decentralize independently of Russia's solution proposals; however, as required by Russia's solution proposals, it would give Kosovo a very high status compared to other regions, which would create an asymmetry. *Third*, Yugoslavia would be fully federalized, again regardless of the proposed solutions; however, it would give Kosovo more power than other regions in terms of the solution proposal of both Russia and other actors. This would mean that Belgrade would have less rule in Kosovo compared to other regions and would again led to an asymmetry. From this point of view, Russia's solution proposals would force the relations between Pristina and Belgrade to be 'asymmetrical'. As elaborated expatiatingly in this thesis, asymmetry is one of the most prominent features of Russia's own federal structure, and given how accustomed Moscow is to establishing asymmetric relations with its own federated units, one might think that she desired to establish such a relationship also between Belgrade and Pristina. As Levitin (2000) said, in the years when Russia presented these proposals in Yugoslavia, Russia did not only encounter negative instances like Chechnya in its own country; she also experienced that some asymmetrical practices could facilitate

to hold the country together as in examples of Tatarstan, Bashkortostan and Sakha (p. 132). When viewed from this aspect, it seems it is not unexceptional that Russia used these experiences in international crises. This seems what she did in Kosovo; and for several time proposed “a formula ... similar to Russia’s successful ‘state within a state’ model for Tatarstan, ... which would have led to the creation of an asymmetric Yugoslav Federation” at the end of the day (Levitin, p. 132). By doing so, it would possible to sustain the territorial integrity of Yugoslavia by meeting the demands of Albanians in Kosovo in terms of self-government and statehood; and this is not something contradictory with the principle of territorial integrity in the eyes of Russians, considering the special bilateral treaties she was concluding with her republics such as Tatarstan in her own country in these days (Levitin, p. 136).

It is quite possible that evaluations similar to those made for Kosovo will also be made for Georgia. The reason for this is that the proposals made or participated by Russia in the Georgia crisis up to Boden Document were quite similar to its proposals in Kosovo. Considering the solution proposals suggested by Russia up to Boden Document in Georgia, it is clear that according to Wheatley’s classification of asymmetry, all of them would produce results that will evoke an ‘asymmetry’ in one way or another. If these proposals were realized, it would be possible for Georgia to form a federation in three different ways. The *first* of these would be the transformation of the whole of Georgia into a federation. In such a case, Abkhazia, South Ossetia, Adjara, and even Georgian-populated regions of Georgia would be completely included in a federation. However, as can be seen from the things mentioned above, Tbilisi’s view of these units was quite different; and the fact that Abkhazia was always seen by the Georgian authorities from a different perspective showed that Georgia, which would be completely federal, would have tendencies to create an asymmetrical federation. Given the above proposed solutions, the status of South Ossetia and Adjara was never as prominent and discussed as Abkhazia, so the status of these regions could not be expected to be as high as Abkhazia. Likewise, considering that the rule of the Georgian central government would be much less over Abkhazia than in other regions, and that Abkhazia would have much more exclusive jurisdictions than other regions, what

would come up could be nothing but an asymmetrical federation. In such a federation where Abkhazia would be positioned at the top, South Ossetia and Adjara, respectively, would be positioned after Abkhazia and would further deepen the asymmetry by having more rights and a higher status than the Georgian-dense regions (*mkhareebi*). Shevardnadze's proposal of asymmetric federation in 1995 was also precisely within this framework. The *second* possible federation scenario for Georgia would be that the Georgia to remain as a unitary state and that Abkhazia to gain a special autonomous status within this state. In such a case, Abkhazia would have assumed a form or structure called 'associated state' or 'federacy', and this would again create an asymmetrical structure as Abkhazia would have a status and rights that other regions of Georgia could not benefit from. This has also shown similarity to the proposals made by Russia in Kosovo. The *third* scenario is the possibility of an unnamed federation in which other regions of Georgia in addition to Abkhazia are constitutionally declared autonomous, just as other regions of Spain are included in the constitutionally autonomous structure to keep up with the autonomy given to Catalonia. In such a situation, a fully decentralized Georgia would have been created, in which, in addition to the status Abkhazia would have, other regions of Georgia were also considered autonomous. However, even in such a situation, considering that Abkhazia's autonomy would be rather high compared to other autonomies, just as Catalonia had a higher degree of autonomy than other autonomous regions in Spain, what would emerge is again be an asymmetrical structure. Therefore, all federations that could have a possibility to be emerged in Georgia as a result of Russia's solution proposals, had to have an 'asymmetric' and 'hierarchical' structure just like the Russian Federation.

Even if this was not going to happen, there were other features resembling *Federatsiya* in the solution proposals in question. For example, all of Russia's proposed solutions in Georgia were based on the practice of building a 'holding-together federation'. In Georgia, there were entities that were secessionist or prone to secessionism, such as Tatarstan, Bashkortostan, and Chechnya, and Georgia, as unitary state, was attempted to be transformed into a federal structure to prevent the separation of these entities. This was an indication that the federation to be

established, if successful, would undoubtedly become a ‘holding-together federation’, which was something very similar to the *Federatsiya*. As explained at length in the second section, also Russia tried to transform the unitary-federal Soviet structure into a genuine federation in order to keep its rebel units together. To give another example, it was inevitable that a possible federation would be built on the basis of ‘ethnic-federalism’ in Georgia and this was one of the most prominent features of the *Federatsiya*. Moreover, if Georgian-dense regions of Georgia were included in the federation, the ‘territorial-federalism’ principle of the *Federatsiya* would also come into effect, and the federal structure of Georgia would become ‘hybrid’ like the *Federatsiya*. In addition, at least some of Russia’s solution proposals envisaged structures within the territorial integrity of Georgia in which Abkhazia would have its own constitution and the statehood. In such a case, the status of Abkhazia within Georgia would be almost the same as that of the republics in Russia. To give another example, Russia’s proposal to Georgia and Abkhazia to conclude a special treaty that regulating their relations was a practice that Moscow was accustomed to within its own federal structure. As explained in the second section, there were dozens of special bilateral agreements signed by Russia with its own republics and regions. The number of such examples can be increased, and they are a clear indication that the solution proposals published by Russia in the Georgian crisis bear great similarities with Russia’s own federal structure. In other words, Moscow has put the *Federatsiya* as a model in front of Georgia and Abkhazia.

The Boden Document, on the other hand, seems to suggest a somewhat different and more loose structure from the others in terms of proposing a ‘within the constitution’ rather than a ‘within the state’ formula, but it is still impossible to express that the structure proposed here does not resemble the Russian federal structure. Looking from many angles, it can be readily enunciated that the principles mentioned in the Boden Document contain phrases reminiscent of the federal order Russia is accustomed to. For example, the balance attempted to be struck in this document between territorial integrity and the right of nations to self-determination is the very balance on which previously Soviet federalism and now the Russian

Federation rested on. As detailed in the second section of this thesis, the *raison d'être* of Soviet federalism is to recognize the right of nations to self-determination, and this is the legacy inherited by the Russian Federation. To give another example, the formula of 'sovereign entity within a sovereign state', which found as a result of this search for balance is quite similar to the federal model of the Russian Federation. As a sovereign federal state, the Russian Federation contains dozens of sovereign formations within itself²⁴⁵. The autonomous republics of Russia, which declared their sovereignty following the dissolution of the Soviets, gained sovereignty within the borders of the federation, and these sovereignties within the Russian Federation was confirmed by the Federal Treaty in 1992. This was how the sovereign republics within the Russian Federation came into being. As Coppieters analyzed (p. 200), the sovereignty attributed to Abkhazia in the Boden Document was not a sovereignty with absolute authority and supreme power of the kind which internationally recognized independent states have; rather, what was expressed here is a sovereignty that has a limited meaning within the framework of the Federal Constitution and is created with the aim of providing the Abkhaz community the statehood. This is very similar to the kind of sovereignty enjoyed by the republics within the Russian Federation. The republics of Russia have their own state institutions, governments, parliaments and constitutions. As a result of this, they have wide autonomy in matters such as budget, ownership and use of natural resources and land, and foreign trade. All this makes these units have some sort of statehood, just as it was intended to be created in Abkhazia. In that case, just as the republics located within the territorial integrity of Russia were made sovereign so that they would have the identity of a state, Abkhazia would also have the kind of sovereignty that it would have the identity of a state within the territorial integrity of Georgia. The only difference seems to be that Abkhazia was not subjugated to Georgia, so that Sukhumi was not subordinated to Tbilisi. According to Coppieters' analysis (p. 200), the Boden Document focused on a formula that positions a state

²⁴⁵ The disappearance of the sovereign adjectives of the republics as of the 1993 Constitution does not mean that they are no longer sovereign because of the fact that the statehood that makes the republics sovereign still exists.

and a sovereign entity together so as to be equally subordinate to the same constitution; rather than a formula that positions a sovereign entity within a state, in which the entity to be subordinated to the state in question. This formula, which can be defined as ‘sovereign entity within the constitution’, indicates a more loose structure compared to the suggestions made so far as mentioned above. However, considering that the ‘parade of sovereignties’ that started in the mid-1990s and the subsequent period in which especially the republics such as Tatarstan and Bashkortostan did not accept any secondary position and drafted republican constitutions, which they regard themselves as equal to Moscow; it is understood that the Russian Federation is also used to such a structuring and therefore this does not make a serious difference. To give another instance, the fact that Abkhazia would have such rights that no other unit in Georgia could have according to the Boden Document, is a very common situation within the federal structure of the Russian Federation. In the case of Georgia, this situation, which is called ‘federacy’ because only one unit will have such great powers, has spread throughout the Russian Federation and 22 republics already have great powers that other regions do not. With such aspects, it is quite possible to say that the solution proposal proposed by the Boden Document has features inherent in the federal structure of the Russian Federation and resembles *Federatsiya* in terms of many other examples that can be given in addition to the above.

All these examples support the above argument. For those who experience unitary systems, it may be interesting to note that territorial integrity is offered by Russia with a federal regulation. Likewise, for those who are accustomed to symmetrical federal systems, Russia’s proposition of territorial integrity in which different ethnic, cultural, political or religious units within the same country are positioned to be granted different powers and status may be difficult to understand. However, it is not difficult for Russia to put forward proposals that will hold together interest groups that are quite different from each other and therefore need to be empowered differently in a multinational, multi-religious or multicultural country. To put it more clearly, there are some countries that when federalizing these countries it may not be beneficial to equally position the diverse ethnic, religious,

political and cultural groups within them. These groups may need to be positioned with different rights and statuses for reasons such as they are claiming different degrees of rights or they are having historically differing influence in the country's politics. When it comes to giving examples of such countries, Russia and India are the first to come to mind. The inclination of some groups to secessionism within unitary states, which have a similar demographic structure and containing different ethnic, political, cultural and religious groups, means having difficulties in protecting the territorial integrity of the countries in question. However, Russia, as one of the countries that experienced this deeply, has internalized the system that will hold such a country together, in its own country for many years. There has never been a territorial integrity free from such complex integrity for Russia. Therefore, what Russians understand by territorial integrity is not the kind of territorial integrity that unitary states or countries with symmetrical federative systems understand. Russia is very accustomed to the kind of territorial integrity, where different ethnic, cultural, religious and political communities within the country are positioned to varying degrees, have different rights and are governed by different statuses of autonomy. It is for this reason that, Russia, without hesitation, offers proposals that converge to her own formula to the countries facing secessionism to hold their countries together. The claim of this thesis derives exactly from this point. Russia, which has a kind of federal territorial integrity in its own country that can be seen as fragmented by unitary states and unequal by the countries with symmetrical federal systems, reflects this understanding of territorial integrity at the point of solving the crises that arise in international relations and tries to ensure that the countries hold together in a federal order specific to her. Within this context, she proposes a territorial integrity having a federal regulation that host features inherent in the *Federatsiya* to countries that have experienced a crisis of secessionism but where Moscow has decided to defend territorial integrity.

II. CONCLUSION

When the results of all these cases are evaluated, it is observed that almost all of the territorial integrity proposals put forward by Moscow in international crises contain a ‘decentralized or federalized’ arrangement. Although it requires a detailed examination, the alleged proposals of Moscow in Syria are also in line with this result. In that case, what Russia calls as ‘territorial integrity’ points to an integrity in which different ethnic, political, cultural, religious and sectarian groups within a country can have autonomous units that are positioned differently from each other or can be equipped with different rights and powers. Such a unity and territorial integrity is nothing more than a decentralized and federalized integrity, or a federation.

Another finding that emerged within the scope of this study is that almost all of the federal arrangements within the scope of the solution proposals proposed by Russia to preserve the territorial integrity of a country show great similarities with Russia’s own federal structure and have some features specific to Russian federalism. In other words, Moscow does not hesitate to reflect her understanding of territorial integrity in international crisis, thus it creates a parallelism between Russia’s solution proposals in international crises and its own federal structure. This situation can be explained by Russia’s practices of protecting territorial integrity in its own country and thus habits regarding Russian federalism. Russia has the practice of holding different ethnic, religious, political and cultural groups together within Russia by furnishing them with different degrees of autonomy and, accordingly, different rights and powers, depending on their historical and current influence in Russian politics, changing demands and demographic characteristics. In this context, Moscow is quite accustomed to ensuring the coexistence of the country by means of differentiating interest groups within the country. It is these practices and habits that make up Russian federalism. From this point of view, this is what Russia understands from territorial integrity, and there has been no other territorial integrity for it for centuries. Therefore, in the solution of international crises, she has made suggestions to the countries, which she wants to preserve its

territorial integrity, that could be regarded as significantly similar to her federal system and the integrity of her own country.

So, why is this topic important and what does it mean? The outcome of this thesis will provide a correct understanding of Russia's approaches in international relations and the concepts used by Russia, which wants to be an active actor in the resolution of international crises, as in the last example of Syria. In this regard, if Moscow talks about territorial integrity during any crisis, it is essential to be cautious. This is, of course, not the kind of territorial integrity that unitary states understand. For Russia, the concepts of territorial integrity and federation are almost equivalent. Moreover, it is quite clear that this does not imply the kind of integrity that states with symmetrical federations understand. Unlike symmetric federations, Russian federalism is ethnic-based, asymmetrical, hierarchical and multinational. The concept that Russia calls as territorial integrity arises from an integrity provided by giving different rights and powers to different interest groups within a country in order to hold these groups together within a country. This logic constitutes Russian type of federalism, which is called as *Federatsiya* throughout this study. For Russians, federation means nothing but *Federatsiya*. Being quite accustomed to living with these practices, Russia does not hesitate to present its federative structure as a solution to other countries struggling with separatism; and this is the direct indication that Russian idea of federation has implications on solution proposals alleged by her in international crises, which constitutes the main argument of this thesis and does not refute the hypothesis given in the introduction at the end of the day.

According to Babbie (2010), "one criticism of the case study method is the limited generalizability of what may be observed in a single instance of some phenomenon" and this can only be overcome "when more than one case is studied in depth: the comparative case study method" (p. 311). From this point of view, by acknowledging the possible limitations and problems of this study that based on case studies, what attempted to be done in this work is to increase the sample number (N) of cases and by doing so to "form the basis for the development of more-general, nomothetic theories" (Babbie, p. 309). However, as every case study

has, there is also a limit to the cases that this study can examine. Hence, testing the main argument of this thesis through cases such as Ukraine, Moldova and Azerbaijan in further studies could provide the hypothesis presented by this thesis to become more general and the detection of a strategy regarding the Russian foreign policy in a more generalized way.

Syria, which is the closest candidate to the implementation of aforementioned Russian strategy nowadays, also can be evaluated in the context presented by this thesis in the future studies, once the events slackened. In this regard, the question of whether Russia will continue to offer a similar solution in Syria can be examined in further studies in addition to the cases discussed in this thesis. Hereby, the parenthesis opened by this thesis on Syria at the very beginning will also be closed.

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