

Life After Putin



Two days ago Vladimir Putin delivered his annual address before the Federal Assembly of the Russian Federation, and since then I have received a flurry of emails and comments from people asking me to explain what he meant. I don't want to make assumptions about the depth of your interest in Russian affairs, and so, to save you time, let me start by providing a very short executive summary: Putin will step down as president after his current term, which will end in 2024 unless an early election is held, but the system he has put in place will stay in place. Essentially, life after Putin will be more Putin under a different name. If that's all you care about, you can stop reading now.

To delve deeper, we need to draw a distinction between Putin the man and the system of governance he has built over the past 20 years. There is always plenty to complain about, but overall it has been quite effective. During Putin's period in power, Russia has solved the problems of separatism and domestic terrorism, reigned in the predatory oligarchy, paid off virtually all of its foreign debts including ones it inherited from the USSR, grew its economy by a factor of six (vs. China's five and USA's one), regained Crimea (which had been part of Russia since 1783), rebuilt its armed forces to a point where international security is no longer a major concern, and achieved an overall level of societal well-being that is unparalleled in all of Russian history.

The system of governance he has built has worked well with him as the head of government, but it will require some adjustments in order to work well under future presidents, who may not be equally gifted. Recognizing this fact, on Wednesday Putin has launched a limited overhaul of the Russian Constitution. In addition to an entire raft of minor tweaks that will limit the powers of the President and give more powers to the Parliament, to provide for better checks and balances and a more democratically responsive system, there are a few proposed changes that stand out:

- The word “consecutive” is going to be struck from Article 81.3: “The same person may not be elected President of the Russian Federation for more than two consecutive terms.” This wording created a loophole, which Putin duly exploited: after serving two terms, he sat out a term and then got elected for two more. This loophole will now be closed.
- Article 14.4 is a rather curious one. It reads, in part: “If an international treaty or agreement of the Russian Federation imposes rules that are contrary to [Russian] law, the international rules shall be applied.” This creates a hole in Russian sovereignty which allows foreign bodies to overrule Russian law. This hole will now be closed.

- Dual citizens and holders of foreign residency permits will now be barred from holding official positions within the Russian Federation. In addition, 25 years of Russian residency will be required of anyone running for President instead of the current 10. This may seem like a minor change, but it is causing Russia's fifth-columnists and members of the liberal opposition to tear their hair out while gnashing their teeth because most of the current ones will be automatically disqualified from holding office while any future ones will be forced to choose between serving Russia and having a bug-out plan. More specifically, given their new outsider status, their Western masters will consider them useless and will no longer funnel funds to them or offer them free regime change training. This approach is sure to be more effective than the current, more labor-intensive one of playing whack-a-mole with foreign-financed NGOs and foreign agents attempting to infiltrate Russia's government. Personally, I'll miss having some of these miscreants around. They have provided quite a bit of entertainment, adding an element of stark raving lunacy to what is otherwise a rather stolid and detail-oriented political process.
- The State Council, which until now has been an extraconstitutional advisory body, will now be written into the Constitution and endowed with certain constitutional prerogatives. Perhaps that is where Putin will move to once his current term as President expires, there to serve as an elder statesman and an arbiter between various levels and branches of government. The State Council could plug a major gap that currently exists between the federal and the regional levels. There are numerous problems that cannot be addressed effectively at the regional level but, given the vastness of the land, cannot be addressed effectively at the federal level either. It may also provide for a smoother transition to life after Putin, similar to what Kazakhstan has recently achieved, with Nursultan Nazarbayev stepping down as president and moving to the Security Council.
- Other bits and pieces to be written into the Russian Constitution have to do with fleshing out the definition of the Russian Federation as a "social state." Russia, as a sovereign entity, has a specific purpose: to serve and insure the welfare of its citizens, as already enshrined in Article 7: "1. The Russian Federation is a social state whose policy is aimed at creating conditions for a worthy life and the free development of the population. 2. The labor and health of population shall be protected, guaranteed minimum wages and salaries shall be established, state support ensured to the family, maternity, paternity and childhood, to disabled persons and the elderly, a system of social services developed, and state pensions, allowances and other social security guarantees shall be established."

So far so good, but a bit vague. Proposed changes will insure that incomes and pensions are such that everybody has decent living conditions. There are also proposed legislative changes to what's called "maternal capital" to make having more than two children financially attractive. The demographic situation in Russia is not as dire as it was in the 1990s, and certainly a lot less dire than in Western Europe whose native populations are rapidly going extinct, but the fact remains that to achieve its stated goals Russia is going to need a lot more Russians. The Russian government has the money to spend on these initiatives, and getting the job done is largely a matter of lighting a fire under the federal and regional bureaucracies. Spelling out the social guarantees right in the Constitution is a good way to make that happen.

Putin proposed that the constitutional changes be voted for in a referendum. Beyond the procedural nicety and the legitimizing effect of this exercise, it is sure to stimulate a lot more public interest and civic participation, making it more likely that the ever foot-dragging Russian bureaucrats (in the more remote regions especially) will be

prevailed upon to act swiftly to enact the changes.

This is all quite positive, yet, as you might have suspected, there is still something left for me to criticize. There are three elements which I believe are missing from the proposed constitutional changes: titular nation status for Russians, their right of return, and right of self-determination for long-term de facto independent regions.

First, Russians are a nation without a homeland. If this sounds bizarre, that's because it is. Within the Russian Constitution, there are just two uses of the word "Russian": "Russian Federation" (which is defined as a "multinational state," and "Russian language," which is its official language alongside numerous others, but there is no mention of "Russian people." Ethnic Russians make up roughly two-thirds of the population, yet no part of the Russian Federation, nor the entirety of it, is properly theirs.

Compare that to the Jews: not only do they have the State of Israel, which is defined as a "Jewish state," but they also have the Jewish Autonomous Region within the Russian Federation to return to if the Israeli experiment doesn't work out (again). Birobidzhan (the capital of the [Jewish Autonomous Region](#)) is a whole lot nicer than Babylon, and its ruler, [Alexander Levintal](#), an economics professor and a native son, is a whole lot nicer than King Nebuchadnezzar was.

Part of this dismissive attitude toward Russians is a legacy of the Russian Revolution. The communist revolutionaries, Lenin and Trotsky especially, saw the Russian people as a pile of kindling to throw under the bonfire of world revolution, were biased in favor of various other ethnic groups and battled against "Russian chauvinism." Stalin swiftly fell off the world revolution bandwagon, but then Bolshevist Russophobia raised its ugly head again under Khrushchev and Brezhnev. Since a lot of the Russian leadership from the 1990s, when the current constitution was drafted, got their start in the Communist Party of the Soviet Union, this same attitude prevailed.

Another aspect that influenced the decision to exclude all mention of Russians from the Russian Constitution has to do with well-founded fear of Russian ethnic nationalism. Nationalism is indeed an ugly and fantastically destructive phenomenon, as evidenced by the extreme nationalistic chauvinism currently on display in a number of former East Block countries, including the Ukraine, Estonia, Latvia, Lithuania and Poland. The Ukraine, with its Nazi parades, is beyond horrible, but even Belarus, whose population is pretty much just plain Russian, has its lunatic fringe of nationalist extremists doing their best to muddy the waters. Within the Russian Federation there was once a nationalist movement, but it was quashed. Last I checked, some of its more radicalized members were still serving out long prison sentences for extremist activities.

With the communist internationalist ideology dead as a doornail, and the nationalist threat within Russia now very much under control, it is perhaps time to address the bizarre problem of Russians being a nation without a homeland—by writing the Russians as the titular nation of the entire Russian Federation into the Russian Constitution. Some mention of Russian culture would be helpful as well. Russian is recognized as the common, official language, but without being informed by Russian culture, developed over a thousand years, it is bound to become just a bunch of Cyrillic characters, and the resulting level of common discourse is going to be rather low.

With that done, the next natural step is to recognize, directly within the Russian

Constitution, [the right of return](#), which is a principle recognized in international law and enshrined in international conventions. Within Russian law it is currently provided for in an ad hoc manner by a combination of administrative laws and direct presidential orders—for instance, granting special privileges to Russians within the Ukraine or Belarus while denying those same rights to Russians living elsewhere. Sure enough, half a million people from these two countries have received Russian passports since these privileges were enacted.

This ad hoc approach is warranted given the dire situation of Russians in Eastern Ukraine, but in general the right of return should be granted based on who people are, not on where they happen to reside. Granting this right to the entirety of the huge Russian diaspora, which was partly created when the USSR broke up, stranding many Russians on the wrong side of some entirely artificial Soviet administrative boundary that instantly became an international border, and partly as a result of a huge outflow of emigrants during the economically and socially disastrous 1990s, would help solve Russia's demographic deficit.

The last, and perhaps the most controversial suggestion I would like to make is to consider defining lawful, constitutional procedures for [political self-determination](#), which is likewise an internationally recognized legal principle. The borders of the Russian Federation are, in some cases, the end product of a series of errors made during the Soviet era. During the post-Soviet era some of these have been remedied, after a fashion, and the regions in question have become de facto independent: Transnistria split off from Moldova and has been de facto independent for 28 years; Abkhazia from Georgia for 26 years; South Ossetia from Georgia for 12; Donetsk and Lugansk from the Ukraine for six. In many ways they have already been functioning as parts of the Russian Federation. But there is no constitutional mechanism for resolving this situation de jure by allowing them to determine their status in accordance with international law and to petition the Russian Federation for incorporation.

When it comes to questions of self-determination, double standards abound. When Kosovo seceded from Serbia, no specific democratic procedures were followed, yet no questions were asked or even allowed. But when Crimea voted overwhelmingly to secede from the Ukraine and rejoin Russia, this was considered to be illegal and resulted in international sanctions that are in place to this day. Given the extreme level of rancor on this issue internationally, this may be an extreme stretch goal, but at some point a solution will have to be arrived at for adjudicating the status of territories that have been de facto independent for decades, and for their subsequent entirely voluntary inclusion in the Russian Federation.