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'A consolidation rather than a separation of power'

Vladimir Putin intends to overhaul Russia's political system. Peer Teschendorf in Moscow on the president's motives

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In his state of the nation speech, Russian President Vladimir Putin has declared that he wants to change the constitution. Among other things, he intends to strengthen parliament in the future at the expense of the president's powers. What's his plan?

At first glance, it seems like a shift of powers from the president to parliament. On closer inspection, however, the changes as a whole have more the character of a consolidation rather than a separation of power in the sense of checks and balances. Whether the parliament will actually receive a significant increase in its powers remains to be seen.

Parliament already votes on the prime minister, but then has no further role in the appointment of deputies and ministers. The new powers to appoint the entire government are, however, constrained by the fact that the president can dismiss all government representatives if they have lost his confidence. He also remains the one who sets the guidelines for the government's work. While all of this makes the parliament a little more interesting, it doesn't necessarily make it more powerful.

Above all, however, Putin left no doubt that he sees only a strong presidential constitution as a suitable model for Russia. In order to strengthen it, he intends to restrict several potential control bodies. Constitutional judges could in future be recalled by the Federation Council on the president's suggestion. At the same time, the creation of a "unified public power" will restrict local self-government. Putin had criticised their different application of citizens rights and guarantees. This way, state power would be more strongly centralised.

Nevertheless, there will be a new balance of power between different state organs; and a new constitutional body, the Council of State, will be set up. Of course, all commentators see this as preparation for the period after 2024, when Putin's time as president will finally come to an end. By strengthening other institutions, he can create a new power base. Whether this will be in parliament, as prime minister or as chairman of the Council of State, it's impossible to say at present. Since the proposals are still vague, it can be assumed that it's a test phase to see which setting promises to be the most stable and secure.

After Putin's speech, Prime Minister Dmitry Medvedev surprisingly resigned right away. What does this change of government mean?

The government's resignation is unlikely to have much to do with the proposed changes. There's no reason why constitutional changes would be better implemented without the incumbent government. We can therefore assume that the decision was ultimately made by the president. Medvedev has already clearly lost popular sympathy since the change of power in 2012. Alexei Navalny's revelations about the prime minister's accumulated wealth made him the focal point of criticism of omnipresent corruption. The prime minister was also used as a lightning rod to raise the retirement age. He's also chairman of the United Russia party, which has lost a great deal of its reputation. Going into next year's parliamentary elections with an unpopular prime minister and a battered party would have been extremely risky.

The change at this time provides the opportunity to bring a new dynamic into the government and to prevent a tense protest election. The new ministers will therefore have the task of bringing some calm to the population through social developments and above all better implementation of the national projects launched by Putin in 2018, to carry out the elections and the subsequent restructuring of the state organs.

Ultimately, some also suspect that Medvedev should be removed from the spotlight to prepare him for later tasks, for example as the new president with fewer powers. His transfer to Putin's deputy in the Security Council at least provided him with a promising starting point for further tasks. However, a new presidency seems less likely, as the manoeuvre when there's was the last change of office is closely linked to Medvedev. So the public reaction would probably not be more benevolent at the presidential elections in four years.

Putin considers legitimising the constitutional reform through a referendum. Would he have the popular support in such a referendum?

The president made it clear in his speech that the changes are not fundamental in nature and can therefore be adopted by Parliament. However, he proposes to let the people vote on the changes as a whole and only then make a decision. It will therefore be a popular consultation rather than a referendum. Given the scope of the changes, a simple vote in the sense of "Do you agree with the changes?" isn't dangerous because most people will see it as an improvement. Last but not least, social promises have been included in the list of amendments, such as the stipulation that the minimum wage must not be below the subsistence level. If individual chapters were to be put to vote, it would probably be somewhat different, as a critical mass could well oppose it for individual aspects. Therefore, this approach won't be taken.

Medvedev's successor, Mikhail Mishustin, has already been appointed. What can we expect from the future government?

The fact that none of the commentators had Mishustin on the list as a potential candidate already indicates his role. He's not taking part in the political power struggle, but a long-standing and very successful top official. He's described as an effective manager who has succeeded in making Russia's tax system one of the most modern in the world. And he's said to have contacts with both major political camps, the representatives of the powerful ministries and the liberal reformers. It seems rather unlikely that he will be built up as successor. Rather, he's more likely to steer the government safely in this period of transformation.

The reactions so far have been mostly positive, as he's not a hardliner in any sense and doesn't further fuel the elite's internal struggle. Whether the population will feel much of the change remains to be seen. Managing a tax authority effectively is a different task than carrying out national projects across the country in a meaningful way.

Part of Mishustin's good reputation is based on the massive increase in the efficiency of the tax system. This has been achieved through complete centralisation, in which every sales receipt and all tax-relevant documents are recorded electronically, accessible to the federal tax authority and searchable for anomalies by means of data mining. Given the plans to centralise all databases, the expansion of surveillance cameras with facial recognition and other measures to improve public security control, the specific expertise of the new prime minister may have played a role in his choice. In this case, however, the population would soon notice the change.

Russian laws are to take precedence over international law in the future. What does this mean for Russia's foreign relations? Judgments

of the European Court of Human Rights (ECHR), for example, will probably be irrelevant.

This proposal gives Russia the opportunity to choose which international treaties it wants to comply with. This makes it a very insecure partner,because in the end you cannot rely on contracts that have been concluded. Whether this means a restriction for the population will be shown by the courts. According to the idea behind this amendment, complaints before the ECHR would only have a chance of being considered in Russia if human rights enshrined in Russian law were violated. However, the Russian constitution is progressive in this respect. For, according to the Constitution, all human rights and freedoms are guaranteed in accordance with the generally recognised principles and standards of international law. So there's no conflict between Russian law and international law in this area.

Ultimately, this amendment is an expression of a weakening of international law, which Russia has always deplored. The military interventions in Iraq, Libya and Kosovo, for example, which Russia regards as violations of international law, have led to the understanding that if you can bend international law, you're a great power. The states of the political West bear some of the blame for this dangerous interpretation. However, it'S unclear exactly how the change in the constitution shall be achieved. The overriding importance of international law treaties is laid down in the 15 paragraphs, which can only be changed by a constituent assembly. However, the president does not want to go down this path.

This interview was conducted by Nikolaos Gavalakis and Olga Vasyltsova.



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