

Separation of Powers in Russian Political System

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ABSTRACT

Separation of powers in Democracy implies the Country beliefs in the individualism of the various pillars of the democracy that is Legislature, judiciary and Executive as having their own individual. So the Constitution of the Soviet Union has undergone many changes; that is in 1918, 1933, 1978 and 1993. In the contemporary world the legitimacy of the state rests primarily on the government's adherence to the rule of law. The Constitution of Russia which was adopted in 1993 was formulated in a time of turmoil in the backdrop of economic and political change. It inspired the architects of the Constitution to instil the new constitutional democracy through the rule of law, separation of powers etc. The separation of powers is a political doctrine which finds its origin in the works of the famous French writer Montesquieu, who in the spirit of law urged for a constitutional government with three separate branches of government. These separate branches would have distinct attributes which would help them monitor the powers of the other. The primary emphasis in this division of the responsibilities of the government into distinct branches is to limit any one branch from exercising the core functions of another. The intent being the prevention of the concentration of power in order to check their authority and incorporate a balance between the sections. The separation of powers paved the way for the better working of the democratic system and the government. This Paper will focus on first the concept of Separation of powers, Secondly it will deal on the Horizontal Separation of power, thirdly it will deal on the Vertical Separation of Powers and finally it will focus on the Presidential powers which will help in determining the power structure of Russia and the Status of Separation of powers.

Key Words : Democracy, Pillars, Political doctrine, Separation of powers

INTRODUCTION

The Constitution of the Soviet Union has undergone many changes; that is in 1918, 1933, 1978 and 1993. In the contemporary world the legitimacy of the state rests primarily on the government's adherence to the rule of law. The Constitution of Russia which was adopted in 1993 was formulated in a time of turmoil in the backdrop of economic and political change. It inspired the architects of the Constitution to instil the new constitutional democracy through the rule of law, separation of powers etc. The separation of powers is a political doctrine which finds its origin in the works of the famous French writer Montesquieu, who in the spirit of law urged for a

constitutional government with three separate branches of government. These separate branches would have distinct attributes which would help them monitor the powers of the other. The primary emphasis in this division of the responsibilities of the government into distinct branches is to limit any one branch from exercising the core functions of another. The intent being the prevention of the concentration of power in order to check their authority and incorporate a balance between the sections. The separation of powers paved the way for the better working of the democratic system and the government.

Many changes happened in the state of Russia after the disintegration of the Soviet Union in 1991 including the governing process. The new leadership at Kremlin

accepted the new constitution as a turning point in their institution towards democracy. There was an intense struggle from 1990 to 1993 between Gorbachev and Yeltsin but it came to an end with the adoption of the Constitution of 1993 which was seen as something extremely promising from the perspective of the reformist and democratic forces such as Yeltsin himself. However, the thought of attaining a distinct democracy in Russia is highly conflicting and hypothetical because of the super-presidential power structure in the country, where the constitution gives immense power to the President. This caused the researchers to excessively mull over the nature of political regime in Russia, and the tendency of power usurpation by the executive. In order to check the above and maintain democracy we need to look over the Russian political order and the confirmation of checks and balances with the provisions provided in the constitution. Russia is in the midst of a crisis where it has evolved out of the rubbles of an authoritarian regime towards an establishment of democracy, with the mindset of authoritarianism and a desire for democracy. The Constitution of Russia was able to provide a realisation of the goals of democracy by the principle of separation of powers and checks and balances. The dichotomy of the Russian Constitution lies in the fact that the separation of powers is only visible at the federal level and the checks and balances were poorly implemented because of the super-presidential system of which the President is the dominant authority.

The main topic of discussion and bone of contention is centered around the question of limitation of the government and that of individual participation in political decision making which leads to clash between constitutionalism and democracy, making the separation of powers an important bridge that can join and link the two by actually preventing the clash. The primary function of the ethics behind constitutionalism and the success of democracy is the limitation of powers by implementing separation of powers between the separate spheres of the government. This mechanism puts a check on the use and abuse of power by the government through his control on the other houses of government. This function of constitution is termed as negative but it actually plays a positive role. Despite the negative connotation it entails, this authorizing function of the constitution helps maintain the integrity of the homogenous state power.

The 1993 constitution was not just a set of rules, institutions, social practices and cultural patterns. It was

devised and anticipated in a written text. This characteristic of a constitution where the authorizing, the legitimizing and the integrative functions almost coincide is pivotal for the evolution of the nation. On the other hand, there is the danger of a normative overload of the constitutional doctrine which is exposed to the danger of collapsing under its strain. The concentration of all political, economic, social and cultural aspirations in a legal document, which claims unconditional and unqualified legal force, may well entail a normative devaluation. This, then, would render the constitution as a mere political manifesto and hence fail to meet the requirements of constitutionalism. Therefore, an analysis has been done to examine whether such instances were present or not. A Constitution is the most visible and symbolic manifestation of people's determination to establish an entirely new basis of its polity. However, the way in which the Russian Constitution came into being and garnered acceptance is beyond any historical likeness.

The Constitution evolved under extremely fractious circumstances. The dispute between the Parliament and the President was based on the primary issue of reform which was reflected both in the process of architecting the new constitution and in the Constitution itself. An analysis in this regard is also proposed.

The inherent duality in the Constitution unfolded during the first five years of its formation. They were manifested in the form of a President-Parliament deadlock, regional demands for independence among others. These instances raised questions against the legitimacy of the Constitution in general and in its functioning as such, which finally led to a call for the need to either amend or do away with it. The pertinent question nagging one's mind is that - Whether the Russian Constitution has prescribed a flawed structure of polity?

Concept of separation of power:

The separation of powers is a part and package of Constitutionalism, of which the prominent players were the Rule of law, Fundamental right, limited government etc. The Main objective behind the separation of powers is to facilitate a life of true democracy with liberty, and freedom from tyranny for the people. This makes the separation of powers akin to a gateway for establishing a government in accordance with the ideals specified in the constitution. The ancient Romans provided checks and balances by dividing power among different classes of the population.

The method of the separation of powers has been popular in the ancient world as mentioned in the writings of famous thinkers from the past like, Aristotle and Polybius. However, the changing times led to the modification in its core principles. In the modern century this idea again garnered replenishment from the likes of John Locke, Charles Montesquieu, James Madison, Alexander Hamilton and Benjamin Franklin. After travelling through a thousand years there might have been some changes in the broader scope of the area but the core on which its locus is focussed is still intact, that is the prevention of arbitrary power and protection from tyranny.

Montesquieu through his book 'The Spirit of Laws' believed that there can be no expectation of liberty from a body of magistrates or a person with whom lies all the legislative, executive and judicial powers. The concept of Liberty when seen from the perspective of an institution which desires power by way of assimilation of all the powers enjoyed by other institutions ceases to hold value. Thus, the division of power among the three branches of the government is the primordial condition for institutional liberty to find validation. James Madison in his book 'The Federalist Papers' defends the idea of separation of powers of Montesquieu by explaining that "Where the whole power of one department is exercised by the same hands which possess the whole power of another department, the fundamental principles of a free constitution are subverted". According to Madison, Montesquieu is referring to the partial independence of government departments which can be done through delegation of powers to individual departments.

The Constitution tries to prevent the junction of powers in one centre by putting upon sufficient limitations over the various organs of the state. The crux behind this initiative is the mutual accountability of powers with effective checks and balances. Thomas Remington compared the US constitution with that of the Russian Constitution of 1993 as both of them have the same Presidential pattern of government. However, the Russian constitution gives more powers to the President, which in other terms is referred to as super-presidential system, wherein his overarching powers are evident from his right to issue decrees. Moreover, in the current form of governmental structure there occurred an evolution even greater than the concept of separation of powers. The modern constitutions of the world do not necessarily adhere only to the old testament of Montesquieu

separation of power, but use additional means in the system of dual state and federal governments under which neither government has the whole of sovereign power and both can put a check on the other. However, it is believed that the doctrine of separation of powers is highly successful when it is applied at the top levels of the government and has no application at the lower levels of the government.

The political theory of Separation of powers is not sanctified in itself, on the contrary it is only one among several means to an end where the end is freedom and liberty – with the perspective of an institutional set up, comprising of the rights, privileges, powers and immunities that are being delegated to various institutions in the governmental structure and are codified in the Constitution which make them exercise their given functions in the public sphere. The above analysis brings us to the conclusion that Separation of powers is only a means to the end of safeguarding liberty.

Horizontal separation of powers:

While studying the problems of the separation of powers, scholars come across the problem of distinguishing between what constitutes the complete separation of powers and the partial separation of powers. Maurice Vile gave the components of the concept of separation of powers thus:

1. The first is the differentiation of the acts of each of the various institutions of the government.
2. The second focusses on the agencies of the government based on conceptual difference.
3. The Third focuses on the staff that works in these three agencies of the government.

The above components delineate the main objectives of the separation of powers that is guaranteeing formulation, interpretation, application and enforcement of the laws which involve the various branches of the government. However, when all these functions are attributed to a single person or organ, it leads to an authoritarian tendency and a totalitarian rule in the disguise of democracy for which the present Presidency of Russia is often critically questioned in the academic world. In this scenario, the doctrine of the separation of power helps in bringing about certain limitation on the authority, in its exercise of its functions, by arbitrarily giving some kind of antagonistic power to the other agencies that will make him accountable for its actions. No matter how we module the constitution to have a complete separation

of powers it is quite unachievable, therefore, many countries at the end have incomplete separation of powers.

Article 10 of the Russian Constitution supported the separation of powers by stating that the 'State power in the Russian federation shall be exercised on the basis of the separation of the legislative, executive and judiciary power' (Art 10). The Executive comprises of the President and his government, the Legislature consists of the Federation Council and the State Duma, and the Judiciary consists of the courts of Russian federation and the Constitution, it also ascertains that all these arms act independent of each other (Art 10). Similarly, the power which can be taken by the state from the subjects of the Russian Federation is exercised by the organs of state authority formed by them. Although the Constitution guarantees the horizontal separation of powers in Russian which was itself was preceded by a military coup of 1993 that involved the President and the Legislature, thus, the Horizontal separation of powers is highly unlikely to take place as discussed briefly in the fourth chapter of this paper, that brings forth various aspect of the relation between the Executive and Legislature where the Judiciary is the silent spectator of the entire episode.

Vertical separation of powers:

The Vertical separation of powers is the structuring that deals with the control over the Regional and Local government through the mechanism of devolution of powers from a federal government to a local government. Federalism always proves to be effective in managing the affairs of the vast and ethnically diverse countries which helps in driving a bond and linkage between the communities by bringing them under a single polity. According to Daniel Elazar, "Federalism has to do with the constitutional diffusion of power so that the constituting elements in a federal arrangement share in the common policy making and administration by right, while the activities of the common government are conducted in such a way as to maintain their respective integrities (Elazar, 1987)". It helps in balancing power between the federal government and the regional government of a state by dividing responsibilities across various levels. "Federalism encourages competition between orders of government for popular support"; a population can grow to identify with both the nation-state and the region (Gagnon, 1993). Of course there are certain exceptions carved out by the state even in these areas, namely,

Tatarstan and Chechnya, which being prosperous in resources and industrial power back up use it to gain influence from the state.

When the Soviet Union was a world power, it had a federal system and an ethno-national identity of fifteen union republics which were recognized by the Soviet leaders at the Center by providing them with a formal autonomy. Though it seems to be a nice federal set up at the outset, when seen from a realistic point of view the domination of the communist party in the Soviet Union provided little independence to the republics (Gitleman, 1979).

Russia was one of the Republics of the erstwhile USSR which was distinct from that of the all the other republics. Ethnicity played a major role in differentiating the various regions of USSR as Autonomous Soviet Socialist Republics (ASSR). However, Russia's experience in substantive Federalism puts a question mark on its ability to develop a simultaneous functional Federal System in its backyard. The federal system in Russian did not have a smooth origin because it faced many centrifugal forces in the early and mid 1990s. It was the outcome of two events that threatened the federal system that is the feud of Tatarstan and Moscow and the civil war in Chechnya. However it might just be the starting point of a series of confrontation between the Center and periphery that constitutes of the regions resisting the state in one way or the other. The year of 1992 was the year when Russia become a centrally weak confederation thanks to the Federation Treaty (Lysenko, 1995). Yeltsin's confrontation with the Supreme Court led to an inefficient policy making and further enhanced the centrifugal force in 1992 and 1993 as regions entered into a phase of policy vacuum left by the Central Authority. This chain of events made the projection of Boris Yeltsin as a weak leader at the Centre which made him take a lot of drastic decisions such as dissolution of the Supreme Soviet in September in 1993 and the violent events of October 1993 as his last attempt to reassert central authority (Lysenko, 1996).

Yeltsin in December 1993 was able to form a constitution that puts the locus of authority on the President and finally gave the Russian federation full control over all its territories (Art - 4) while attaining equal level of relation across all territory (Art - 5). However, this aspect was packaged in the second clause of article 5 which guarantees all the regions the right to have their own Constitutions and limited all the other entities to charters.

The 1993 constitution helped in the provision of a center with remarkably great powers inciting resistance from the regions towards the central authority, which led to the diminishing of the Centripetal force. The Center-periphery relation had entered into an era of compromise and disjuncture owing to a series of bilateral treaties between Moscow and particular regions during the Yeltsin period until they were abolished during Putin's rule as discussed briefly in the third chapter.

In the earlier form of the Soviet Union, Russia was a united power internally but after disintegration it became weak owing to the challenges it faced at the federal level. The basic objective of the creation of federalism is the devolution of power so that the regions will stay with the centre in order to form a United Russia. It involved the restraining of the central power and provision of autonomy to the regional powers in the units, aiming for a stable relationship between the centre and regions by putting a limit on power at central and state level. Another aim of a federal set up in the government is to restrict the power of national government by creating a second layer of local governments. This type of federalism is a new aspect of modern constitutionalism which acts as an effective restraint upon the abuse of governmental powers at the central and local level.

The objective of power sharing between the social force, that is the Central government and the local government, is to check the monopoly of authority of either one. This is often accomplished by the contracts and negotiations among the social groups in the society.

Post – Soviet Russia needed a Constitution to establish Russia as a federal unit. However in order to install a democratic political institution and a democratic political culture that will block governmental interference into individual and group affairs, it took the help of the system of Vertical Separation of powers. The greatest challenge at that time for President Boris Yeltsin was to create a civil society with a private economy. The constitution of 1993 was expected to bring about a change and stability in the Russian society which was facing the grave challenges in terms of unstable and depleted economy and polity.

Mikhail Stoliarov provides a thoughtful, insightful and well documented picture of the Russian federal system and its practice in the federation. He argues that although the 1993 Russian constitution was imperfect, it contains the tools that will address Russia's diversity, notably its provisions on contractual and negotiated distribution of

powers and competencies. The Tartarstan's Treaty played a significant role in the strengthening of the Federal–regional relations in Russia. The major challenge in the Russian federal system is the status of the ethno-territorial units in the Federal system.

According to Jodi Koehn, however after the victory of Putin in 2000 elections, his federal reforms, which as per a Russian Regional Report based in New York, stated that his effort to centralise the state power and strengthen the federal government has brought about certain reforms that are quite different from what had been initially planned. Vladimir Putin proposed for the creation of seven federal districts, his authority to fire governors and disband legislatures, reform of the Federation Council, and areas in which he has had significant influence such as the overall evolution of civil society. The above reforms are a tool to augment the power and position of the Russian President over the federal units which shows us the direct proof of Asymmetrical Federal Division of power in Russia. Putin's administration has also worked to bring regional laws and constitutions in accord with the Russian Constitution and the Federal laws (Hyde, 2001). The last amendment is a part of Fiscal reforms designed to increase the Centre's financial control over the revenue of the different regions and republics. These reforms were designed to reduce the power of the regional executives. Putin's reforms had put a diminishing effect on the autonomy of the republics at a massive scale. In spring 2001, elites in several republics who felt federal government's aspiration about undermining the Republics position raised a question of survivability of the non Russian populations as separate and distinct nationalities. However, the policies were never applied consistently and equally at all the regions regardless of the status of the republic. From the perspective of effect of reforms in the different regions, there is evidence of a dicey nature in the post-Soviet Russian politics showing variation in the Centre-periphery relations, both within and across regional categories.

Russian President : Constitutional power vs actual power:

When the Russian constitution was formed in 1993, majority of its principles were derived from the French constitution, especially the sections regarding the coexistence of both the office of the Prime Minister and the President. Akin to the French constitution, where the President acts as the guarantor of all types of authority

to its individual entities in the government; the Russian President has the power to introduce legislation, issue decree if the Duma does not pass his legislation, uses a continuation budget if his budget is not passed, can veto any legislation passed by the Duma and can threaten the Duma with legislation if his choice of Prime minister nomination is not selected. These powers pose a question mark regarding whether there is a limitation on the presidential authority? or whether he can force a negotiation with the Duma to get desired results? Although there is a political limit that restrains the President's power in the Russian System but everything is based on the political calculation on the part of the President.

The President of the Federation of Russia is the head of the state and is the guarantor of the constitution and provider of the human and civil rights and freedom. Though he is not the head of the executive, the government of the Russian federation is the highest organ of executive power (Kozlova and Kutafin, 2006). The first directly elected president of the Russian federation was Boris Yeltsin in the election of June 12, 1991. Later the Presidential elections took place in the year 1996, 2000, 2004 and 2008.

The President of Russia is elected for four years by its citizens on the basis of general, equal and direct vote by secret ballot (Art -81:1 2006). The 1993 Constitution of Russia laid down the process of elections to be followed for the post of the President, it fixed the minimum age at 35, only those who have been a resident of the Russian federation for not less than 10 years are eligible for contesting for the post of presidency (Art-81:2 2006). A person cannot hold office of the Russian presidency for more than two terms in succession which led to the inability of Vladimir Putin to contest election for the post of presidency in 2008 after becoming president for two terms in the year of 2000 and 2004.

Super-Presidential system in Russian Constitution:

There is a famous quote mentioned in one of the letters written by Lord Action to Mandell Creighton which states that, 'all power tends to corrupt and absolute power corrupts absolutely'. The President of the Russian Federation owing to the Constitution and the scenario during which it was made has acquired the powers of appointing, presiding, introducing, dismissing and recall which are regarded as one of the most important of all powers in the Russian Presidency. Article 83 of the 1993 Constitution states that 'the President of the Russian

Federation':

a) Has the power of appointment of the Chairman of the government of the Russian Federation based on the consent of the state Duma.

b) He has the authority to preside over the meetings of the government.

c) Can take the decision in the matters of resignation of the Government.

d) He can suggest a name for the post of Office of the Chairman of the Central Bank of the Russian Federation to the Duma and can also relieve him by submitting a proposal for the same.?

e) He has the authority to appoint as well as dismiss the Deputy Chairmen of the Russian Government and the federal ministers who were being proposed by the Chairman of the Government of the Russian Federation.

f) He has the power of appointing the judges of the Constitutional Court, Supreme Court and the Supreme Arbitration Court of the Russian Federation as well as candidature for Prosecutor General and also its removal. He also appoints the Judges of other federal courts.

g) He not only forms but also heads the Security Council of the Russian Federation.?

h) He endorses the Military doctrine of the Russian Federation.

i) He has the power of forming the staff of the President of the Russian Federation.

j) He decides on the appointment and dismissal of plenipotentiary representatives of the President of the Russian Federation.?

k) He has the authority to appoint and dismiss the Supreme Command of the Armed Forces of the Russian Federation.

l) He can also appoint and recall, after consultations with the respective committees or commissions of the Federal Assembly, diplomatic representatives of the Russian Federation to foreign states and international organizations.

The President had used his power in a wrong way when it was going through a rough patch with Georgia in 2006 by withdrawing all its diplomats from Tbilisi to Moscow (Filippov, 2006). If we see the constitution of Russia from the point of view of the President, it might create a lot of damage if a wrong and non-potential candidate gets elected to the post of presidency. The President has been given all encompassing powers in the appointment of the Prime minister, the Ministers, all the judges, the Prosecutor-General, the heads of the

Security Council, the Generals, Governors and his staff. This is one of the numerous reasons for criticizing the Russian Presidency. The appointment of the people close to the President on all these important positions might affect the independence and working of the government, as even the principle of separation of powers is considered to be in alignment with the legislative and judiciary. The meteoric rise of Putin from a deputy chief of the presidential staff to a powerful President in less than four year raised a lot of eyebrows and criticism over the power exercised by the President.

Article 84 of the Russian Constitution of 1993 is related to the powers given to the President of the Russian Federation (Art-84 1993) 'the President of the Russian Federation':

- Can give the call for elections to the chambers of the State Duma in accordance with the Constitution of the Russian Federation and federal law; ?
- He has the power to dissolve the State Duma in cases and under procedures envisaged by the Constitution of the Russian Federation; ?
- He can give the call for a referendum under the procedures established by the federal constitutional law;
- He can introduce draft laws in the State Duma;?
- He has the authority to sign and publish federal laws; ?
- He can do the presentation of annual messages to the Federal Assembly on the situation in the country and on the basic directions of the internal and external policies of the state.

According to the 1993 constitution, super-presidential system is visible in Russia through his drafting power in State Duma. This power diminishes the principle of the separation of power and gives the President enough appetite for garnering more goals despite lack of cooperation from other parties even in the drafting stage of the law. However, there is a positive attribute of this power of the President as it will lead to the making and taking of quick decisions at certain times whose instances can be seen in the form of several changes to the Federal, regional and governmental structures over the last years at the behest of presidential decrees or presidential draft laws at the State Duma.

Moreover The Russian president has the power to resolve conflicts between the organs of power of the Russian federation and that of subjects of the federation by using dispute settlement procedures. However, in case of non settlement of disputes it may be brought before

the court. In that case the Russian President can suspend acts by organs of the Executive authority of the subjects of the Russian Federation. This suspension will be valid until resolved in the court. These acts must not go against the ethos of the Constitution, federal laws, international obligations, human rights, or civil rights and liberties.

When it comes to the matter of Foreign affairs and policy making, the real power of the President comes to the forefront. He supervises over the management & conduct of foreign policies, negotiations, signing of international treaty and instruments of ratification and acceptance of credentials and the instruments of recall of diplomatic representatives. He is also the Supreme Commander in chief of the armed forces and has the power to introduce martial law with immediate notification there of the Federation Council and the State Dumas in the situation of any aggression or threat against Russia.

Apart from this, the President of Russia is the sole authority who can resolve disputes concerning Russian citizenship, political asylum, awarding state decoration and honorary titles or awarding top military ranks and top specialized titles and grant of pardons.

The President can issue presidential decrees or normative acts and the Executive orders which shall be binding over the entire territory of Russia. The decree should not violate the Constitution of the Russian federation 1993 or the federal laws. This is the only tool that controls the President apart from the Constitutional Courts. However the Constitutional courts cannot really control masses of decrees that are issued yearly.

Hence, the Russian Federation may be characterized as a super-presidential republic (Kozlova and Kutafin, 2006). This form of government is also referred to as a semi-presidential republic. The President may be characterized as God and the Devil, Lawmaker, Upholder and Judge.

One of the most important functions of any Constitution is to promote legitimization of the political authority which leads to the theory and belief that the only legitimizing principle in the contemporary world is that of popular Sovereignty. This popular background of the Constitution inspired the Constitution of 1993 which thought contains an uneven mixture of both Presidential and Parliamentary aspects, but according to William A Clark, is described as super-presidential. The Constitution stipulates that the President is the head of the state (Article 80, 1), the guarantor of constitution, Commander in Chief of the armed forces and determines the basic

guidelines for the state's domestic and foreign Policy. The Constitution gives the President wide ranging powers in both the legislative and non-legislative areas. The powers bestowed on him regarding the matters of issuing the decree are valid throughout the Russian Federation. He can declare the state of Emergency throughout Russia but with a notification of his actions to both the chambers of the parliament. He also has a presidential veto that gives him authority over the legislation. In this entire Presidential system, the citizens are the only source of political authority whereby the power is given to the representatives through periodic elections.

In areas outside direct legislative matters, the Russian President has a formidable list of authorities. First, the President appoints the Prime Minister and can directly dissolve the State Duma and call for new parliamentary elections. Secondly, the Russian government also has control over the naming of government officials among other areas of autonomy.

Conclusion:

The constitution that involved in the backdrop of its transition from communism to democracy declared Russia as a Democratic Federal state with a republican form of government (Art 1). The (Art 2) makes it mandatory on the part of state to recognize, protect and observe the rights and freedoms of its citizens. As a social state originated from a socialist past, free development of man and its worthy is established by (Art 7: 1993) of its constitution. The independence and guarantee of local self-government are mentioned under (Art 12: 1993). The State power is devolved down to the local power in the regional self-government which is clear case of departure from the single party system to that of recognition of multiparty system (Art 13.3: 1993). One of the important features of democratic set up in a country is its secular identity which is mentioned in Russian constitution under (Art 14.1,: 1993).

The most important part of the Russian that confirms to the ideals of separation of powers is Art 10 that divide the power of state among the branches of legislative, executive and judiciary acting independently. It's the

President in Russia who exercises the state power in Russian Federation along with Federal Assembly, Government and Courts (Art 11.1: 1993).

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