

**FEDERAL BARGAINING IN POST-SOVIET RUSSIA:
A COMPARATIVE STUDY ON MOSCOW'S NEGOTIATIONS
WITH TATARSTAN AND BASHKORTOSTAN**

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ABSTRACT

FEDERAL BARGAINING IN POST-SOVIET RUSSIA: A COMPARATIVE STUDY ON MOSCOW'S NEGOTIATIONS WITH TATARSTAN AND BASHKORTOSTAN

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The objective of this thesis is to examine the nature of federal bargaining in post-Soviet Russia by comparing Moscow's negotiations with Russia's two oil-rich republics in the Middle Volga: Tatarstan and Bashkortostan. In particular, the thesis attempts to explain how Bashkortostan was able to gain autonomy from Moscow that is very close to the level of autonomy enjoyed by Tatarstan, despite the fact that Bashkortostan is clearly in a disadvantageous position when compared to Tatarstan and the Bashkorts form only the third largest ethnic group in the Republic after the Russians and the Tatars. The central hypothesis of this thesis is that sometimes the relatively disadvantageous party in federal bargaining might be given more autonomy not because of its bargaining power, but because of the general bargaining strategy of the federal center. Therefore this thesis is an attempt to understand how Moscow, fearing that Tatarstan might emerge as the hegemonic power in the Middle Volga, sought to strengthen the position of Bashkortostan against Tatarstan, and how the success of the Bashkort political elite to manipulate the weaknesses of Moscow in the post-Soviet arena provided Bashkortostan with more or less same degree of autonomy compared to that of Tatarstan's.

Keywords: Federal Bargaining, Asymmetrical Federalism, Russian Federalism,
Tatarstan, Bashkortostan

ÖZ

SOVYET SONRASI RUSYA'DA FEDERAL MÜZAKERE: MOSKOVA'NIN TATARİSTAN VE BAŞKURDİSTAN İLE MÜZAKERELERİNİN KARŞILAŞTIRMALI BİR İNCELEMESİ

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Bu tezin amacı Sovyet sonrası Rusya'da federal müzakerenin doğasını Moskova'nın Rusya Federasyonu'nun iki petrol zengini cumhuriyeti olan Tataristan ve Başkurdistan ile müzakerelerini karşılaştırmalı bir şekilde incelemektir. Tez özellikle Tataristan ile karşılaştırıldığında görece şekilde daha dezavantajlı durumda olan Başkurdistan'ın Tataristan'ın elde ettiği özerkliğe çok yakın bir özerkliği nasıl elde edebildiğini açıklamaya çalışmaktadır. Bu tezin temel aldığı varsayıma göre bazen federal müzakerelerde görece olarak daha zayıf olan taraflara elde edebileceklerinden daha fazla özerklik verilmesi onların müzakere güçlerine değil, federal merkezin genel müzakere stratejisine bağlıdır. Bu tez, Tataristan'ın Orta Volga bölgesinde egemen bir güç olarak ortaya çıkmasından çekinen Moskova'nın, Tataristan'ın karşısında Başkurdistan'ın pozisyonunu nasıl güçlendirdiğini ve Başkurt politik kadrosunun ikili federal müzakerelerde Moskova'nın Sovyet sonrası dönemdeki zaaflarını beceriyle kullanmadaki başarısının da Başkurdistan'a Tataristan'ın federal müzakerelerdeki kazanımlarına çok denk bir pozisyonu nasıl sağladığını tartışmaktadır.

Anahtar Sözcükler: Federal Müzakere, Simetrik Olmayan Federalizm, Rus Federalizmi, Tataristan, Başkurdistan.

To My Mother and Father

Anneme ve Babama

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CHAPTER 1

INTRODUCTION

Federal bargaining is a new phenomenon in post-Soviet Russia. Although federalism was practiced in the Soviet Union, the Soviet Union, which was one of the most centralized states in modern history, could hardly be seen as a democratic federation. This veneer of federalism has had enormous impacts for the development of post-Soviet Russian federalism. The largest republic of the Soviet Union, the Russian Soviet Federated Socialist Republic (RSFSR), was a multinational state consisted of autonomous republics (ASSRs), including today's the Republic of Tatarstan and the Republic of Bashkortostan. When the Soviet Union, as a territorial state, disintegrated as a result of the sovereignty declarations of the fifteen union republics, which were followed by the autonomous republics, the RSFSR retained the fundamentals of the old Soviet superstructure.¹

In the post-Soviet period, we witness a troubled reorganization of the Russian Federation, in which the long history of centralized government clashes with the center's attempts to satisfy regional demands. The federalism debate in post-Soviet Russia brought the central and regional actors face-to-face as the regional actors claimed that the center has exerted too much authority over local affairs continuing the Soviet legacy of pseudo-federalism.² Central leaders, on the other hand, both

¹ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 1

² Elizabeth Pascal, *Defining Russian Federalism*, Westport: Praeger Publishers, 2003, p. 1

under President Yeltsin and President Putin assert that regional leaders exploit their new powers to the detriment of Russian citizens and nation.

Consequently, political and economic asymmetry came to define Russian federalism during Yeltsin administration. The legacy of Soviet federalism endured in the post-Soviet period in the sense that the unequal territorial division among twenty-one republics, eleven autonomous areas, forty-nine *oblasts*, and six *krais* continued to dominate the federal design of the Russian Federation. The Federation Treaty of 1992 and the Federal Constitution of 1993 reinforced these inequalities; however, the power-sharing treaties that started with the Republic of Tatarstan in 1994 further deepened the gap between the ethnic republics and other federal subjects of Russia.

This thesis seeks to examine the nature of federal bargaining in post-Soviet Russia by comparing Moscow's negotiations with Russia's two oil-rich republics in the Middle Volga: Tatarstan and Bashkortostan. Tatarstan and Bashkortostan played a central role in the federal bargaining arena of the post-Soviet system. The bargaining strategies developed by these republics vis-à-vis Moscow provided Tatarstan with a leading role among the other ethnic republics and the regions of the federation. Therefore, evaluating Bashkortostan in the bargaining process necessitates a comparative approach of its post-Soviet politics not only vis-à-vis the federal center but also vis-à-vis the neighboring Tatarstan.

The thesis seeks to explain how Bashkortostan was able to gain autonomy from Moscow that is very close to the level of autonomy enjoyed by Tatarstan, despite the fact that Bashkortostan was in a relatively disadvantageous position when compared to Tatarstan. Furthermore, as the ethnic Bashkorts form only the third largest ethnic group in the Republic after the Russians and the Tatars, the Bashkort

political elite lacked the advantage to politicize the Bashkort nationalist movement in its federal bargain with Moscow.

Relying on this analysis of Moscow's negotiation strategies, this thesis will attempt to identify the basic characteristics of Russian federalism in the post-Soviet period, center-region relations that gave way to bilateral negotiations, and the positions of Tatarstan and Bashkortostan in the federal bargain that contributed to the creation of a constitutional asymmetry in the Russian Federation. It will also be noted that at times, the federal bargain had been characterized by a risky game of nationalist bluffs played by the regions and grandiose assertions of sovereign power.

These strategies seemed less designed toward the goal of genuine independence, but toward realization of the ambition of greater autonomy and increased economic benefits through federal negotiations. Moscow mostly submitted the regional demands in bilateral treaties in return for regional stability and political support for Yeltsin.

The central hypothesis of this thesis is that sometimes the disadvantageous party in federal bargaining might be given more autonomy not because of its bargaining power, but because of the general bargaining strategy of the federal centre. Moscow, fearing that Tatarstan might emerge as the hegemonic power in the Middle Volga, sought to strengthen the position of Bashkortostan against Tatarstan. This 'divide and rule' tactic characterized Moscow's negotiations with Tatarstan and Bashkortostan in the post-Soviet era.

It is also hypothesized that political power and economic wealth are not always the preconditions for a privileged position vis-à-vis the federal center, as it has been in the case of the Bashkortostan. Bashkortostan is one of the resource-rich

republics of the federation, particularly with oil and natural gas resources; however, compared to Tatarstan, it lacks the necessary ethnic majority of the titular nationality in the republic, and the ethnic mobilization that will trigger nationalist movements that made the republic more vulnerable in front of the center. Then how could Bashkortostan managed to obtain very similar privileges with Tatarstan becomes the main problematic of this study that I search for an answer throughout the thesis.

The process of state-building in post-Soviet Russia has been characterized by the attempts at redefining the center- periphery relations in accordance with the principles of democratic federalism. Democratic federations require above all democratic participation of the citizenry both at the regional and the federal levels. As Daniel J. Elazar argues,

Federalism by its very nature must be a republican in the original sense of *res publica*- a public thing; a federal polity must belong to its public and not be the private possession of any person or segment of that public, and its governance therefore requires public participation.³

Democratic federations are also characterized by bargaining between the center and the constituent units of the federation.

The choice of bilateralism as an intergovernmental reform strategy altered the development of federalism in Russia by increasing the role of regional authorities. In the federal bargaining arena of the post-Soviet system, economically and politically stable and resource-rich ethnic republics benefited from the bilateral process by negotiating greater subnational control over local politics and resources, but poorer

³ Daniel J. Elazar, *Exploring Federalism*, Tuscaloosa and London: The University of Alabama Press, 1987, p. 107

regions continued to depend on the center. Nonetheless, despite the short-term stability and political support on behalf of the center created by the bilateral negotiating process, the result was the emergence of asymmetric rulebook as a defining facet of Russian federalism.⁴

M. Filippov, P. C. Ordeshook, and O. Shvetsova classified the existing approaches to federalism into ‘cooperative’ and ‘competitive’ ones. The cooperative approach emphasizes the role of the federal subjects and the opportunities for amicable agreements among federal subjects whereas the competitive school emphasizes the role of the federal center in order to coordinate and enforce cooperation among federal subjects and the costs that can be applied in the event of noncompliance.⁵

William H. Riker’s approach could be seen as an intermediary between these two approaches. Riker argues that a theory of federal formation and survival requires a theory of bargaining among political elites. Furthermore, Riker stresses the point that even if union is economically and socially desired, there is no guarantee of success in achieving sustainable results. Riker defines federalism as a state in which two levels of government rule the same land and people; each level has at least one area of action in which it is autonomous; and there is some constitutional guarantee of the autonomy of each government in its own sphere. In addition to Riker’s argument, M. Filippov, P. C. Ordeshook, and O. Shvetsova argue that every

⁴ Elizabeth Pascal, *Defining Russian Federalism*, Westport: Praeger Publishers, 2003, pp. 2-3

⁵ Mikhail Filippov, Peter C. Ordeshook, and Olga Shvetsova, *Designing Federalism: A Theory of Self-Sustainable Federal Institutions*, Cambridge: Cambridge University Press, 2004, p. 22

government affords local authorities some degree of autonomy, and every ostensibly federal state exhibits a degree of central control.⁶

As Daniel J. Elazar defines, federal relations represent a partnership among individuals, groups, and governments that relies on a commonality of interests to make all participants more contented. Federalism is based on a particular kind of constitutional framework, which is easily visible in the division of power among a general, or federal, government on one hand and constituent governments on the other. Moreover, federal polities are characteristically noncentralized, meaning the powers of government within them are disseminated among many centers, whose existence and authority are guaranteed by the general constitution. Diffusion of powers among many centers, whose legitimate authority is constitutionally guaranteed, is the principal characteristic of federal democracy.⁷ Decentralization, on the other hand, implies the existence of a central authority where diffusion of power is a matter of grace, not right; however, the concept of decentralization is frequently used to describe federal systems.

As Jeffrey Kahn puts it, federalism requires one state with divided governments so that multiple levels of autonomous decision-making authorities can function. This is mainly accomplished via territorial division such as states, provinces, cantons, or republics; however, physical demarcation is not a *sine qua non* of federal government.⁸ Moreover, federal systems use written constitutions to assign jurisdictional authority. In federal systems, constitutional or fundamental laws

⁶ Ibid., p. 5

⁷ Daniel J. Elazar, *Exploring Federalism*, Tuscaloosa and London: The University of Alabama Press, 1987, p. 34

⁸ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 21

require super-majorities in parliament, special conventions, or even popular referendum for their alteration. The power to make constitutional amendments is not exclusively granted to the federal government; instead the ratification of a number of federal units is required.

Kahn argues that this characteristic of a federal government separates it from merely decentralized governments, under which a parliament granting greater authority to lower levels of government retains the legal right to revoke those powers. Another important characteristic of federal governments is that each level of government must possess some sphere of authority, which is its own exclusive jurisdiction, besides the bounded areas of concurrent jurisdiction shared by both levels of government.⁹

Sovereignty has been the most evocative concept in the federal relations of Russia and its constituent parts in the immediate aftermath of the dissolution of the USSR. In international law a state is sovereign when it is not the subject of another state in its domestic or foreign activity. Kahn defines sovereignty as a political synonym for the state's most crucial quality: legitimacy.¹⁰ Federalism turns traditional conceptions of sovereignty upside down as Elazar has observed that the principle of federalism represents an alternative to the modern idea of sovereignty. In international law, federal states are still regarded as the exclusive sovereign actor whereas the federal units –such as states, provinces, cantons- possess no sovereign standing as subjects of international law.¹¹ A federal state is based on the notion that

⁹ Ibid., p. 22

¹⁰ Ibid., p. 26

¹¹ After October 1993 events as Tatarstan realized the fact that its sovereignty claims would not be recognized by the international community without the recognition of Russia, Shaimiev decided to raise the republic's claim of sovereignty through bilateral bargaining with Moscow.

sovereignty can be distributed within the state on inter-connected levels of governmental authority, as a result of which there is no longer a single sovereign in the domestic context. The contributing units of the federation relinquish their claims of sovereignty to the greater whole of the federation: the center.

When Yeltsin's struggle with Gorbachev forced him to invite the Russian regions to the 'Parade of Sovereignties' in 1990, all regional elites responded the invitation by sovereignty declarations. Nonetheless, the reactionary acceptance of sovereignty turned out to be the most crucial political strategy in the emergence of new Russian federalism.¹² Secession, the most extreme form of sovereignty, has not been a serious problem of the Russian Federation. Apart from Chechen-Ingush Republic, all of the declarations of sovereignty made by the regions of the Russian Federation did not target secession in the final end.

The economic, ethnic, and territorial asymmetries of Russia demonstrate the increasingly dominant use of federalism throughout the world as a means to address interregional differences. Historically, Russia had been territory of authoritarianism and a pre-existing form of federalism that combined federal rhetoric with centralized bureaucracies and decision making. The major problematic of Russian federalism is to unify an asymmetrical territorial system that defines the relationship between center and periphery. Principally, regional differences play an important role in constructing federalism as it was in the case of American federalism; however, unlike Russian federalism, American federalism was built upon states' equal relationships with the central government.¹³

¹² Ibid., pp. 26-7

¹³ Elizabeth Pascal, *Defining Russian Federalism*, Westport: Praeger Publishers, 2003, pp. 3-4

The Soviet legacy of privileged relationship between the center and the titular ethnic groups had enormous impact on federal negotiations of the post-Soviet era and resulted in the formation of institutional-constitutional asymmetry as a basic principle of new Russian federalism. The bilateral relations of Yeltsin period between governmental levels that neither seek justification within, nor even relate to, the founding documents of the federation, the Federation Treaty of 1992 and the Federal Constitution of 1993, created constitutional asymmetry.¹⁴

Federations may be sub-divided into symmetrical and asymmetrical federations. Cameron Ross stresses Stepan's argument that all multinational democracies with the exception of Switzerland are constitutionally asymmetrical, and all federations that are mono-national are constitutionally symmetrical. The Russian Federation, one of the largest multinational countries in the world, has one of the highest levels of asymmetry.¹⁵

Ross defines three types of asymmetry in federal states as socio-economic, political and constitutional. Socio-economic asymmetry is impossible to avoid and is present in every federation depending on the number of federal subjects, their size, population, economic status, and wealth. Political asymmetry refers to the inequalities of representation and political status either stemming from the federal subjects' socio-economic status or developing from more overtly political factors such as patron-client relations. Federal subjects that are economically powerful will usually have more political status, as it is in the case of Tatarstan vis-à-vis other ethnic republics of the federation. Finally, constitutional asymmetry refers to the

¹⁴ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 47

¹⁵ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 7

differences between the legal status and privileges of different sub-units within the same federation, which has been a major feature of Russian federalism.

Even though the Federal Constitution of Russia declares that all subjects of the federation are constitutionally equal (Article 5), the ethnic republics have been granted far greater powers than the other subjects of the federation. The bilateral treaty process that started in 1994 with the Republic of Tatarstan has widened constitutional asymmetry even further.¹⁶ In the model of asymmetric federalism, the diversities in the larger society find political expression through local governments that possessed varying degrees of autonomy and power. Each component unit of an asymmetrical federal system would have clear divisions of interests, which could not be considered as national in scope.¹⁷

Steven Solnick divides institutional asymmetry into two sub-categories of *ad hoc* asymmetry and constitutional asymmetry. *Ad hoc* asymmetry emerges from the federal government's discretion over distributing benefits and allocating costs, whereas constitutional asymmetry emerges from asymmetries agreed to as constitutional norms by a majority of constituent regions, as it has been the case in the Russian federalism.¹⁸

This study focuses on the emergence of new Russian federalism in the post-Soviet period and the federal bargaining process between the center and the federal subjects of the Russian Federation that had played a crucial role in shaping the basic premises of the federal system in Russia. I give particular emphasis on the bargaining

¹⁶ Ibid., pp. 8-10

¹⁷ Charles D. Tarlton, 'Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation', *The Journal of Politics*, Vol. 27, No. 4, November 1965, p. 869

¹⁸ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 143

process that the Russian center and regions descended into after the dissolution of the Soviet Union by simply focusing on the evolution of the Tatar and Bashkort ASSRs first into union republics of the RSFSR and then into constituent units of the Russian Federation as the Republic of Tatarstan and the Republic of Bashkortostan. The main problematic of this study is to understand the bargaining strategies adopted by Tatarstan, on one hand, and Bashkortostan's effort to catch up with Tatarstan, on the other hand, in its search to gain as much autonomy as possible. Even though Bashkortostan did not have the same degree of nationalist mobilization, ethnic concentration, and wealth compared to neighboring Tatarstan, it managed to obtain very similar concessions to Tatarstan through the bilateral negotiations process of 1990s.

The organization of this thesis is built up as follows: Chapter 2 defines the loose confederal relations encouraged by Yeltsin's Federation Treaty of 1992, Federal Constitution of 1993, and the 'Parade of Treaties' resulted in the emergence of asymmetric federalism, which dominated the course of federalism in Russia until Putin administration. The chapter further focuses on the basic characteristics of Putin's federal reforms that targeted to strengthen the 'executive vertical' in federal politics and to increase the role of the center in relations with the ethnic republics and other subjects of the federation.

Chapter 3 looks at Tatarstan's role in the federal bargain throughout a period of 1990-2004. The chapter initially focuses on the history of Tatars in the pre-Soviet and Soviet period in order to understand the character of relation between Tatars and Russians that carried them to the post-Soviet period. During the 'Parade of Sovereignities' of 1990, the Tatar political elite was the first among the autonomous

republics of the USSR that declared sovereignty. After the collapse of the Soviet Union, the Tatar political elite realized the fact that exploiting the weaknesses of the federal center and President Yeltsin, who was yet unable to consolidate his political power, would be the most pragmatic strategy to achieve as much sovereignty as possible. The rejection of Tatarstan to sign the Federation Treaty of 1992 was the initial step in forcing Moscow to enter into bilateral negotiations as equal sovereign parties. Nevertheless, as Yeltsin managed to consolidate his power against the rebellious legislature by October events of 1993, the Tatar leadership decided to be more compromising for the time being and remained silent regarding the bloody events of October 1993 as all other regional leaders did.

Even though the executive-legislative impasse came to an end by the October events, Yeltsin still needed the support of the regional leaders, in particular the support of resource-rich ethnic republics, which in turn brought Yeltsin to the negotiating table with Tatarstan. The power-sharing treaty of 1994 between Yeltsin and Shaimiev violated the Federal Constitution that claimed to be at equal distance to all subjects of the federation. Tatarstan was followed by other ethnic republics, but, the treaties signed with other republics and regions, apart from Bashkortostan and Sakha, recognized lesser privileges to the subjects. Until Putin's term the Russian federal system was dominated with the asymmetry deepened by the 'parade of treaties' creating a federal bargaining arena for Tatarstan that had been exploited to the best end of the republic by the Tatar political elite, under the leadership of Mintimer Shaimiev. Even though Putin's federal reforms forced Tatarstan to get the sovereignty claims back from the republican constitution, the changes made were only the re-assertion of sovereignty claims with different wordings.

Chapter 4 follows the organization of the previous chapter starting with the history of the Bashkorts in the pre-Soviet and Soviet eras. In the post-Soviet period, the Bashkort political elite, under the leadership of Murtaza Rakhimov, found themselves in a less advantageous position vis-à-vis the federal center compared to their Tatar counterparts regarding the federal bargaining process. The chapter provides a close look to Bashkortostan in the Federation Treaty of 1992, Federal Constitution of 1993, the Bilateral Treaty of 1994, the asymmetric federalism of Yeltsin and Putin's counterattack to the regions in order to strengthen the vertical power. The strategies developed by the Bashkort political elite in federal bargain are made subject to comparison with that of Tatar political elite's in Chapter 5 explaining that Bashkortostan, despite its disadvantageous position compared to Tatarstan, succeeded to obtain very similar concessions from the federal center either by exploiting the weaknesses of the center or following the tracks left by Tatarstan.

Chapter 5 poses a comparative approach to the two cases of this study, the Republic of Tatarstan and the Republic of Bashkortostan. The ethnic origins of Tatars and Bashkorts have been a long-debated issue raising the question that whether or not Tatar and Bashkort are two different ethnies or close relatives of the same origin. Many approaches to the debate regard the Bashkorts as a branch of Tatar origin and the Bashkort language as a dialect of Tatar. Nevertheless, the important point that deserves attention is that the Bashkorts identify themselves separate from the Tatars, as the Bashkort nationalist leaders' rejection of the idea of a united Idil-Ural Republic at the time of the Bolshevik Revolution clearly showed. The establishment of separate Tatar and Bashkort ASSRs gave way to the emergence of separate republics of Tatarstan and Bashkortostan in the post-Soviet period. The

demographic differences between the two republics affected the nationalist mobilization in the republics that served as the trigger in search for sovereignty.

The 1989 Soviet census showed that the titular nationality of the Bashkort ASSR, namely the Bashkorts, came after the Russians and Tatars populating only the 22 per cent of the whole republic. Different from the ethnic Tatars living in the Republic of Tatarstan, the fact that the ethnic Bashkorts only composed a minority in their republic forced the Bashkort political elite not to politicize the ethnic motivations among the Bashkorts. This was one of the most important factors that detached the Bashkort bargaining strategies from that of Tatar's. The Bashkort leadership feeling more vulnerable than the Tatar leadership vis-à-vis Moscow agreed to sign the Federation Treaty of 1992; however, it managed to exploit the rejection of Tatarstan to sign the treaty and forced Moscow to sign a separate appendix with Bashkortostan.

Moreover, contrary to the Tatar reaction to the referendum for the Federal Constitution and the parliamentary elections of December 1993 on the ground that Tatars could not approve a constitution that disregards their claims to sovereignty, the Bashkorts participated in the referendum and the elections. Nonetheless, the republican constitution of Bashkortostan that came into force a few days later the Federal Constitution re-asserted the sovereignty claims of Bashkortostan and the supremacy of republican laws over federal ones. As a result, it is possible to conclude that the Bashkort political elite lacked the advantages to exert open opposition to the center, but, successfully made use of the circumstances to obtain no less than Tatarstan did.

CHAPTER 2

THE NATURE OF RUSSIAN FEDERALISM IN THE POST-SOVIET ERA

This chapter attempts to establish the general framework of Russian federal system emerged in the post-Soviet era. Democracy, which is generally related to federalism by many scholars, pluralism, rule of law, and bilateralism are the new concepts of Russian federalism that more or less depend on the historical legacy of Soviet Nationality Policy that played a central role in the establishment of Soviet federalism. Therefore, this chapter initially provides an analysis of Soviet federalism and Soviet Nationality Policy. Followingly, the Federation Treaty of 1992 that allowed a significant degree of decentralization providing for joint jurisdiction over education, environmental protection and conservation, health care and natural resources while recognizing certain areas of sole jurisdiction of the federal subjects and the new Federal Constitution that adopted a more restrictive approach to the rights of the regions are made subjects of this chapter's analysis.

The chapter further focuses on the power-sharing bilateral treaties that were signed between the leaders of individual regions and the federal authorities. It is attempted to show that these treaties formalized the emergence of asymmetrical federalism where the rights of separate regions were negotiated on an *ad hoc* basis.¹⁹

Finally, the chapter scrutinizes the federal reforms of Putin, which basically starts with the creation of an administrative layer between the federal center and the regions, namely the institution of presidential representatives. The measures taken by

¹⁹ Richard Sakwa, *Russian Politics and Society*, London and New York: Routledge, 2002, p. 9

Putin targeted the re-assertion of federal authority and the re-establishment of the 'executive vertical' vis-à-vis the regions.

2.1. The Heritage of Soviet Nationality Policy

The establishment of the Union of Soviet Socialist Republics (USSR) in December 1922 marked the understanding that the constituent units of the Soviet federation, namely the union republics, were sovereign states with the inherent right of secession which was later covered both by the 1936 and 1977 Soviet constitutions. Though classical Marxism had little to say about the national question and the issue of national self-determination, the Leninist notion of self-determination began to take shape at the beginning of the twentieth century as an intermediary interpretation between Orthodox Marxists and Austrian socialists, who gave excessive concessions to the presocialist aspirations of bourgeois nationalists.²⁰ Lenin's advocacy of self-determination was merely a political strategy for resolving the national question of Russia. If nations were not given the right of secession, then, among people whose national consciousness was emerging as a political force it would encourage combative nationalism which was the enemy of socialism. Furthermore, socialism as an ideology does not only aspire to draw the nations together (*sbliizhenie*) but also to unite them (*sliyanie*) and the unity of people can only be achieved through a process that the suppressed nations enjoy the right to self-determination.²¹ Lenin, however, made three key reservations concerning the issue of right to self-determination, which are first of all the interests of the proletariat would always be overriding.

²⁰ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 23

²¹ V. I. Lenin, *Ulusların Kaderlerini Tayin Hakkı*, Ankara: Sol Yayınları, 1979, (translation by Deniz Yalçın), p. 152

Second if a nation did not exercise the right to secede, it could not have any autonomy at all. Finally, Lenin insisted on the need for a centralized workers' party and of all proletarian organizations.²² These three key reservations in practice nullified the general principle of right to self-determination. Nonetheless, the Soviet Nationality Policy was a contribution of Stalin rather than Lenin. Stalin's ideas on the national question embodied in his article of "Marxism and Self-Determination" that was published in 1913 served as the basis for the Soviet Nationality Policy, as he wrote:

The right of self-determination means that a nation may arrange its life in the way it wishes. It has the right to arrange its life on the basis of autonomy. It has the right to enter into federal relations with other nations. It has the right to complete secession. Nations are sovereign, and all nations are equal.²³

In the immediate aftermath of the October Revolution of 1917, the first official document adopted by the new regime proclaimed its support for self-determination. "Declaration of the Rights of the Peoples of Russia" was signed by Lenin and Stalin on behalf of the newly formed 'Commissariat of Nationalities', which reaffirmed the right of the "peoples of Russia to free self-determination, even to the point of separation and the formation of an independent state"²⁴. The right to self-determination was the most important opportunity for the new regime to win the support of national minorities. Despite Lenin's pre-1917 opposition to federalism when Lenin and his colleagues concluded that federalism would provide the new regime with the flexibility needed to deal with the national question of Russia,

²² Ben Fowkes, *The Disintegration of the Soviet Union*, New York: St. Martin's Press, 1997, p. 36

²³ Quoted in Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 24

²⁴ *Ibid.*, p. 25

Russia's minorities were to be offered a form of territorial autonomy within the newly established federal socialist state.

The Civil War that started between the Red and White armies after the revolution served as a trigger for the spread of the new federal regime. Soon after the invasion of Ukraine by the Red Army in 1918 the Russian Soviet Federated Socialist Republic (RSFSR) was established. Other than RSFSR, thirteen governments of the former tsarist empire declared independence; nonetheless, these governments were subordinated to Soviet power as their territories were occupied by the Red Army during the Civil War. On 30 December 1922 the Union of Socialist Soviet Republics (USSR) was established and a new constitution for the new Union was ratified on 31 January 1924.²⁵ The 1924 Constitution provided the larger non-Russian nationality groupings (titular nations) with union republic status and each republic was "assured the right of free secession from the Union"²⁶. Under the 1924 Constitution the responsibility areas of foreign affairs, defense, foreign trade, communications, posts and telegraphs were assigned to Moscow. In the areas of finance, food, economics, labor, control and inspection, and security the union republics were allowed to have local commissariats but all their decisions were subject to the directives issued by the center. The responsibility areas of internal affairs, justice, education, health, social welfare and nationalities were left to the union republican authorities without direct subordination to center. The 1924 Constitution provided the union republics with the right to have their own communist party, party central committee, Supreme Soviet and government with the exception of the RSFSR, which did not have its own

²⁵ Ibid., p. 28

²⁶ Ibid., p. 29

Communist Party.²⁷ Furthermore, the 1924 Constitution provided a federal structure that consisted of a hierarchy of ethno-territorial units including the union republics (SSRs), Autonomous Soviet Socialist Republics (ASSRs), autonomous oblasts and okrugs. Contrary to the union republics the autonomous republics, autonomous oblasts, okrugs and soviets had no constitutional right to secede manifesting that they were not considered as sovereign. The decision on where to place a nation on the hierarchy was a matter of administrative and geographical expediency. Tatars, for instance, despite their highly developed level of cultural institutions and education among the most other Turkic peoples they could never achieve the status of a union republic because their territory was enclosed within the RSFSR. The Tatar lands were not sufficiently peripheral to Moscow.

The Soviet Nationality Policy encouraged the development of administrative, constitutional and legal expressions of nationhood on behalf of the titular peoples of both the union republics and the autonomies. The policy of *korenizatsiia*, (nativisation) introduced in 1923 further intensified the nationality policy in the Union by promoting the training and development of individuals of the titular nations. Moreover, there was an official claim that the nationality policy was also designed to promote *rastsvet* (flowering) of national cultures through the promotion of local languages, education and culture. As a result the regime provided national minorities with newspapers, journals, and books in their native tongues. The ideal target of the “flowering” of national cultures was to achieve the nonnational “Soviet man” (*homo sovieticus*), whose culture would be a synthesis of the cultural richness

²⁷ Ben Fowkes, *The Disintegration of the Soviet Union*, New York: St. Martin's Press, 1997, p. 44

of all the peoples of the socialist world.²⁸ Nevertheless, these commitments of the nationality policy gave way to a more forceful process of the sovietization of national minorities in the Stalin era. The purges of the 1930s devastated the titular elites in the union republics and the autonomies; an extensive assault was initiated against religion and antisocialist practices. By the end of 1930s the Russian language was made compulsory in all schools throughout the Union. During the Second World War the promotion of Russian people as the “the first nation among the equals” became an explicit phenomenon. Though the ‘sovereign’ status of the union republics and their right to self-determination was again granted by the 1936 Constitution, in practice, it was out of question.

Despite the different nationality policies implemented by Stalin’s successors these policies further intensified Russification among the minority nationalities in general. During Khrushchev era, for instance, the 1958 educational reform gave parents the right to choose whether to send their children to native-language schools or Russian-language schools instead of making both Russian and the non-Russian languages compulsory. The educational reform had the effect of increasing the use of Russian in the Soviet school system. The 1977 Constitution of Brezhnev era preserved the existing federation structure. When the 1977 Constitution came into effect, the USSR was entering into an “era of stagnation”, as later referred by Gorbachev, due to the declining performance of the economy, the stalemated war in Afghanistan, widespread corruption, and a deepening malaise and pessimism in the society. In spite of the “pre-crisis situation” characterized by Gorbachev, when he came to power in March 1985, he shared the general view that the nationality

²⁸ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 31

question had been more or less solved and an antiunion nationalist mobilization was not expected. The nationalist movements of 1960s and 1970s were ineffective as a result of the relaxation of terror after Stalin's death, which in turn accompanied by a considerable improvement in the situation of the non-Russian nations. The generally shared view by the central authorities was that "industrialization, rapid social mobilization, improved occupational status for minorities, and *korenizatsiia* had brought about an equalization of living conditions between nationalities"²⁹. The Soviet regime confidently claimed that the USSR had solved its nationalities problem and had produced the 'Soviet people' (*Sovetskii narod*).³⁰

2.2. The Break-up of the USSR and the Rise of the Russian Federation

The present 'pre-crisis situation' in the thinking of Gorbachev at the time of his election made him re-launch the anticorruption campaign that began under the rule of Yuri Andropov, which was directed against "the bribery, embezzlement, fraud, nepotism, cronyism and report padding"³¹, but, the main target of the anticorruption campaign was the political elite of the Central Asian republics. By the end of 1986 Gorbachev had already dismissed the four Central Asian First Secretaries of Turkmenistan, Tajikistan, Kyrgyzstan and Kazakstan. When Gorbachev failed to follow the traditional rules and replaced the First Secretary of Kazakstan with an ethnic Russian, Gennady Kolbin, the first riots of Gorbachev period broke out in Alma Ata. Nevertheless, the Alma Ata riots were spontaneous

²⁹ Ibid., p. 43

³⁰ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 53

³¹ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 56

movements of a group of students from the Kazak State University rather than organized movements. Furthermore, they did not have any effect or connection with other nationalist mobilization movements elsewhere in the Soviet Union.

In early 1987 the signs of internationality tensions and antiunion reactions increased, particularly in the Baltic States. The ‘calendar demonstrations’ became a regular feature of political life, which were the dates to be commemorated.³² Moreover, the Crimean Tatars, exiled to Uzbekistan by Stalin in 1944, concerted a protest campaign in 1987 for the right to return to their homeland. Nevertheless, the first major wave of inter-communal ethnic violence erupted between Armenians and Azerbaijanis over the status of the Nagorno-Karabakh Autonomous Oblast. In late 1986 the Armenians re-asserted their demands for transferring the oblast from the Azerbaijani SSR to the Armenian SSR by writing a letter to Gorbachev. When the letter was ignored the 75,000 Karabakh Armenians signed a petition in support of the letter. The petition was also ignored by Politburo, which in turn resulted in a coordinated campaign of civil disobedience by Armenians throughout Karabakh. The conflict over Nagorno-Karabakh proved to be very important due to the size and duration of the demonstrations. It was the longest running ethnic conflict with the bloodiest confrontations and a death toll of 600 in Azerbaijan alone between February 1988 and December 1990. Furthermore, the ethnic conflict between the Armenians and Azerbaijanis was a test which *perestroika* failed to manage when the Red Army intervened in Baku in January 1990 and killed 160 people.³³

The call of a plenum of the Central Committee to discuss the nationalities policy in September 1989 indicates the turning point in Gorbachev’s attitude towards

³² Ben Fowkes, *The Disintegration of the Soviet Union*, New York: St. Martin’s Press, 1997, p. 128

³³ *Ibid.*, p. 133

the growing demands of the nations. On 27 November 1989, the USSR Supreme Soviet adopted a law that give the union republics the control of their land and natural resources on their territory; the right to raise their own budgets and to regulate all economic activity and the right to control investment on their territory. The same rights were extended to the autonomies by a Supreme Soviet law of 10 April 1990.³⁴ A package of federal laws were adopted in April 1990 on discrimination, language, right of secession, and delineation of powers that failed to ameliorate the centrifugal pressures on the USSR. Nonetheless, instead of soothing the antiunion opposition the April laws had the opposite effect.

The USSR was a highly heterogeneous country with 126 officially recognized “nationalities” in 1989. There were in addition numerous other ethno-linguistic groups that for various reasons were not afforded the status of a “nationality” by Soviet ethnographers. Therefore, only a minority of the USSR’s ethnic groups had their own eponymous administrative units in the Soviet federal system. When Gorbachev came to power in March 1985, the Union consisted of fifteen union republics, thirty-eight ethnically defined autonomies with twenty of them the autonomous republics, eight autonomous oblasts, and ten autonomous districts (okrugs).³⁵

Gorbachev’s policies of *glasnost*, *perestroika* and democratization opened up the nationalities and federal question to nationwide debate. His efforts to reform the Soviet politics and economy, whilst maintaining the unity of the state, turned out to be unsatisfactory to acknowledge the demands of the republics for greater political

³⁴ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, pp. 72-3

³⁵ *Ibid.* , p. 2

and economic autonomy. The rise of nationalism coupled with the loss of the legitimacy of the regime finally brought the Soviet Union to its abyss. The sovereignty declaration of RSFSR on June 12, 1990 initiated the parade of sovereignties through which twenty-four of the forty declarations of sovereignty were made by the constituent units of RSFSR. The political rivalry between Gorbachev and Yeltsin between 1990 and 1991 set the conditions for the sovereignty declarations of the autonomous units of the RSFSR.

On 11 March 1990, among the union republics of the USSR, the Lithuanian parliament made the first declaration of full independence changing the name of the republic from the Lithuanian Soviet Socialist Republic to the Lithuanian Republic. It was followed by other Baltic declarations of independence in 1990. The year of 1990 also witnessed the mobilization of Russian democratic forces in opposition to the Soviet center under the leadership of Boris Yeltsin, who ran for a seat in the new RSFSR Congress of Peoples' Deputies. The draft of sovereignty declaration presented by Yeltsin at the Congress argued that "genuine sovereignty was just as necessary for Russia as it was for the other republics"³⁶ and on 11 June 1990 Russia made its historic declaration of sovereignty presenting the primacy of the RSFSR Constitution and laws throughout the territory of the RSFSR with a reservation on the right to secede from the USSR. Besides, the declaration of independence made by the RSFSR was an obvious invitation for regions to claim their own autonomy and a catalyst in the collapse of the USSR.

Russia's sovereignty campaign was characterized by the political struggle between Gorbachev and Yeltsin to achieve power and over the period 1990-91 the

³⁶ Ibid., p. 79

sixteen autonomous soviet socialist republics (ASSRs) of the RSFSR became embroiled in this struggle. Yeltsin, understanding the need to gain the political support of the autonomies in his struggle with Gorbachev, began to insist on renegotiating the relations between Russia and its autonomies. When Gorbachev supported to raise the status of the autonomous republics equal to that of the union republics through the All-Union Law, “On the Delimitation of Powers between the USSR and the Subjects of the Federation” of April 26, 1990, Yeltsin in response urged the ASSRs, during his visit to Kazan, to ‘take as much sovereignty as you can swallow’.³⁷ Nevertheless, Gorbachev’s intention to support the autonomies was simply to set the sword of Damocles over the secessionist republics and threaten them with secession within the secession.³⁸ Following Yeltsin’s statement Tatarstan declared itself as the sixteenth republic of the USSR on 30 August 1990 and by the end of the year every other autonomous republic had acted likewise. Although Yeltsin’s support for ‘sovereignty from bottom up’ was an instruction for anarchy it provided him with political points from the elites and electorates in the autonomies.

Gorbachev, on the other hand, instead of solving the federation crisis of the union through federal laws and constitutional amendments decided to prepare a new Union Treaty. What Gorbachev had planned was that a group of experts would prepare a draft treaty, which would later be ratified by all union republics and the autonomies as well. Nevertheless, the republics quickly made clear that they would not approve a treaty prepared alone by the center. The draft of the Federal Treaty was redrafted for four times before it was published due to the strong anti-federalist

³⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 20

³⁸ Richard Sakwa, *Russian Politics and Society*, London and New York: Routledge, 2002, p. 215

lobbying of a group of deputies. Contrary to Gorbachev's intention to avert secessionist claims of the union republics, the announcement of a new union treaty increased incentives for other republics to declare sovereignty in order to be in a position to negotiate the treaty as an equal.³⁹ The first basic principle of the treaty asserted the "voluntary" characteristic of the union. The joint jurisdiction areas included "developing a common economic program, a uniform financial, credit and monetary policy; preparing the federal budget; managing unified fuel, power and railroad, air, maritime, and trunk pipeline systems, defense enterprises and energy reserves, and working out a common social policy, including programs on job safety, social security and insurance, and public health"⁴⁰. The initial draft of the Union Treaty did not guarantee the right to secession in contrast to the four subsequent draft treaties that were published in the following months as a result of the powerful opposition of the republics. One important aspect of the Federal Treaty was that neither USSR's constitution nor the constitutions of the republics could contradict the treaty (Article 9).⁴¹

By the time of the rigorous discussions on drafting the new union treaty the nationality crisis in the Union accompanied with economic crisis. Under such harsh conditions Gorbachev proposed to hold a referendum that would ask the Soviet people whether they supported "the maintenance of the USSR as a renewed federation of equal, sovereign republics"⁴². The referendum, which was hold on 17 March 1991, resulted with 76 per cent yes vote on an 80 per cent turnout, however,

³⁹ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, pp.-104-105

⁴⁰ *Ibid.*, p. 105

⁴¹ *Ibid.*, p. 106

⁴² Quoted in Ben Fowkes, *The Disintegration of the Soviet Union*, New York: St. Martin's Press, 1997, p. 188

six of the fifteen union republics (Estonia, Latvia, Lithuania, Moldova, Georgia and Armenia) did not take part in the referendum on the grounds that they were independent and the Soviet Union was a foreign country. Gorbachev still needed the leaders of the union republics to sign the union treaty and the all-union and union republic legislatures to ratify it. Therefore, on 23 April 1991, Gorbachev and the leaders of nine of the union republics met at a government dacha in Novo-Ogarevo. The joint statement that came into being after nine hours of discussion provided for the setting up of a 'Union of Sovereign States'.⁴³ Moreover, the statement acknowledged that the five nonsignatories of the Federal Treaty (Latvia, Lithuania, Estonia, Moldova and Armenia) had the right not to join the new union. Finally, the statement designated that agreement had been reached on a program of economic reform. The 23 April statement was an agreement on principles, negotiations continued on the text of the draft treaty. During the negotiations the autonomies insisted to be recognized as full signatories to the treaty. Tatarstan went even further demanding to be recognized as a full republic with a status equal to other union republics.⁴⁴ Even though Gorbachev announced on 12 May 1991 that not only the union republics but also the autonomies would be the signatories to the treaty as constituent units of both the USSR and the RSFSR, whereas Tatarstan agreed to sign the treaty only as a part of USSR. When Mintimer Shaimev, Tatarstan's leader, announced Tatarstan's will to negotiate a separate bilateral treaty with the RSFSR, he opened the way to the 'parade of treaties'. As a result Gorbachev's each and every

⁴³ Ibid., p. 189

⁴⁴ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 120

one of efforts to avoid the dissolution of the union further brought the Soviet Union nearer to its abyss.

At the time of negotiations over the draft treaty one important development took place: Yeltsin won the presidential elections of June 1991, which was a first in Russia's 1,000-year history, by getting the 57.3 per cent of the total vote.⁴⁵ Yeltsin's continuous march to power accompanied with the August coup prevented the signing of the new Union Treaty worked out by Gorbachev, which turned out to be negative and destructive for the future of the Union. The pro-union conservatives launched their long-anticipated coup late in the evening of Sunday, 18 August 1991, two days before the scheduled signing ceremony. On Monday morning the state news agency, TASS, announced over the radio that a "State Committee for the State of Emergency" had been set up. Gorbachev was announced to be removed from presidency due to his health problems and he was replaced by his vice-president Gennadii Yanaev.⁴⁶ The coup failed due to the incompetence of the coup leaders, the unwillingness of the military to fire upon civilians, and Yeltsin's success in gathering the residents of Moscow to the defense of the "White House".⁴⁷ As a result the coup ended every piece of hope that country could remain fully intact setting off a flurry of independence proclamations all over the Soviet Union contrary to the intentions of the putschists.

In addition to Lithuania and Georgia that had declared independence before the attempted coup, a further 12 union republics (Estonia, Latvia, Ukraine, Belarus, Moldova, Azerbaijan, Kyrgyzstan, Uzbekistan, Tajikistan, Armenia, Kazakstan,

⁴⁵ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 123

⁴⁶ *Ibid.*, p. 128

⁴⁷ *Ibid.*

Turkmenistan) joined the two.⁴⁸ The union republics were followed by the autonomous republics and regions, such as Chechnya, Nagorno-Karabakh, Balkaria and Tatarstan. The independence declarations were accompanied by decrees banning or restraining Communist Party activities on the republic's territory, transferring control of enterprises and organizations that had been under USSR jurisdiction to republic governments, and claiming jurisdiction over export licensing and foreign trade activities.⁴⁹ Similar to the 'parade of sovereignties' in the case of 'parade of independence' the local elites in the republics were scrambling to preserve their positions and tried to show their electorates that they were vigorously representing their interests while resisting Gorbachev's attempts to define their status and limit their privileges through the Union Treaty. When the State council convened for the first time on September 1, 1991 the Baltic republics, Georgia and Moldova refused to send representatives. The draft Union Treaty was sent to the republics for comment after receiving the approval of the State Council and was returned with several oppositions of the republics. The intermediary attempts of Gorbachev to re-establish the political union of the USSR seemed to be falling into pieces. By the time the State Council reconvened at Novo-Ogarevo on 14 November, through which Yeltsin objected the use of the term 'union state' preferring instead 'union of states' whereas Gorbachev and Nazarbayev continued to argue in favor of the term 'confederated state'.⁵⁰ The meeting revealed the rivalry and conflict between Gorbachev and Yeltsin. The discussion over the draft treaty and the failure of

⁴⁸ Ben Fowkes, *The Disintegration of the Soviet Union*, New York: St. Martin's Press, 1997, p. 190

⁴⁹ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 140

⁵⁰ *Ibid.*, p. 148

Gorbachev to obtain a public expression of support for the treaty from the State Council on 25 November further weakened the political power of Gorbachev as the president of the USSR. Moreover, the establishment of the Commonwealth of Independent States (CIS) with Russia, Ukraine and Belarus and the Ashkhabad Summit on 17 December with Kazakhstan and five Central Asian leaders, who discussed the joining of these Central Asian states to the CIS with equal status as the founding three members, brought the end of Gorbachev's political life as the president of the Soviet Union. On 25 December 1991 Gorbachev resigned from his post in a televised speech and the Soviet Union passed into history at midnight on 31 December 1991.

2.3. The Federation Treaty and the Federal Constitution

After the dissolution of the USSR when union structures collapsed, Yeltsin became the sole occupant of the only center that remained and therefore became the target of similar attacks he had fomented against Gorbachev. Fourteen months after Yeltsin's speech in Kazan Fauzia Bayramova, the leader of ultranationalist *Ittifak* party of Tatarstan, demanded all the sovereignty that Tatarstan could swallow as once Yeltsin had urged. Nonetheless, almost all autonomous republics of the RSFSR shared the common idea that the independence declarations were the basis for the negotiation of a new Federation Treaty, which would provide the republics and autonomies the opportunity to participate in the process of establishing the rules of the game. As a result, nineteen republican representatives participated in the signing ceremony of the Federation Treaty on 31 March 1992. Tatarstan and the Chechnya refused to sign the Treaty, which gave Bashkortostan the leverage to pressure on the

center for additional concessions. The refusal of Bashkortostan to sign the Treaty could have collapsed the entire Treaty framework and even if the other republics have signed the Treaty a gaping hole would be opened across the important military-industrial Volga region of the Russian Federation. As a result Bashkortostan was given special privileges with an Appendix to the Federation Treaty.⁵¹

The Federation Treaty consisted of three separate treaties and two protocols, which were separately for national-state formations (ethnic republics), administrative-territorial formations (krais, oblasts and the two cities of Moscow and St. Petersburg), and national territorial formations (autonomous oblasts and okrugs).⁵² The Treaty gave important concessions by officially acknowledging the republican sovereignty, the right to self-determination and the ‘fullness of state power’ on republic territory, the explicit participation of republican organs in the implementation of federal authority and express prohibitions against federal intrusion in regional affairs. Moreover, the republics also won extraordinary representation at the federal level empowering Russia’s asymmetric federalism. Nonetheless, despite the concessions the republics had retained reservations about the Treaty. In August 1992, Bashkortostan, Tatarstan and Sakha issued a joint warning to the federal government not to ignore republican laws and legal rights; all three republics refused to pay taxes to the federal budget.⁵³ It is important to bear in mind that the treaty was ratified at a time when there was an uneasy balance of power between president and parliament. “Consequently, greater segmental autonomy for the titular ethnic republics was conceded in the context of a fragmentation of power at the center,

⁵¹ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 129

⁵² *Ibid.*, p. 126

⁵³ *Ibid.*, p. 131

where neither president nor parliament could afford to alienate the potential support of the republics.”⁵⁴

The post-Soviet political order in Russia pointed out severe deficiencies in the Russian political culture. The ‘dual democratic legitimacies’ for the president and the parliament in the post-Communist rule resulted in a stalemate between legislative and executive institutions. The February 1990 Russian parliamentary elections gave way to a conservative parliament whereas the June 1991 presidential elections brought a reform-oriented president, Yeltsin, to power. The parliament, the vice-president and the chair of the Constitutional Court appeared to have no conception of democratic rule bringing the country to the brink of civil war through power struggle. The Seventh Congress of Russian People’s Deputies (December 1-14, 1992) initiated the crisis with an offer “that the Constitutional Court be asked to rule on whether Yeltsin should be removed from office for numerous infringements of the constitution”⁵⁵. Although the motion failed the issue of impeaching the president would remain in the center of the discussions for the next ten months. When Yeltsin replaced his prime minister, Yegor Gaidar, with a compromise ‘centrist’ candidate, Viktor Chernomyrdin it had become clear that Russia was under the control of dual power (*dvoevlastie*). The political crisis due to *dvoevlastie* deepened on March 20, 1993 when Yeltsin announced on national television that he had signed a decree enacting special rule. The Constitutional Court immediately ruled that Yeltsin’s decree was unconstitutional. Yeltsin finally managed to schedule a referendum for April 25, 1993 that would ask the voters “whether they desired Russia to become

⁵⁴ James Hughes, “Managing Secession Potential in the Russian Federation”, *Regional & Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 47

⁵⁵ John B. Dunlop, “Sifting through the Rubble of the Yeltsin Years”, in Brown, Archie (ed.), *Contemporary Russian Politics: A Reader*, Oxford: Oxford University Press, 2002, p. 54

presidential republic and whether they favored private ownership of land”⁵⁶. Yeltsin won this referendum and in accordance with the expectations within the society Yeltsin took decisive action to resolve Russia’s constitutional crisis. At this stage of transition, many of Russia’s democratic leaders believed that dissolution of the Congress of People’s Deputies and of the system of soviets was a precondition for adopting a new constitution. Nevertheless, Yeltsin did not use his electoral mandate to end Russia’s polarized political standoff. Instead he called for a Constitutional Conference as an alternate body to draft the new constitution. The conference consisted of 762 representatives from all groups of Russian political life. Yeltsin hoped that the Constitutional Conference could ratify a political pact that might guide Russia into a new political era. In the initial stages, all political actors participated in the proceedings; however, soon the conference lost its gravity and legitimacy as the opposition groups to Yeltsin first left the conference and second the regional leaders delayed drafting procedures at the conference.

When it became evident that many local legislatures and executives would either reject the draft or attach it to unacceptable amendments, Yeltsin played his final card and called for the creation of a “Federation Council” that would consist of one representative from each of the legislative and executive branches of the *subekty* (region). Shaimiev, with the idea of keeping the center weak, accepted an observer status in the Council until a satisfactory treaty was signed with Moscow. By September 1993, when the new political year began, Russia seemed to be unable to sustain the dual legitimacy between the president and the parliament. On September 21, Yeltsin disbanded the parliament. Many of the parliamentarians refused to

⁵⁶ Ibid., p. 55

comply and incited supporters to launch an armed uprising in Moscow, which in turn resulted in the storming of the parliamentary building by the Russian army on October 4, 1993.⁵⁷ The leading rebellious parliamentarians were arrested and the institutions of the local assemblies were abolished by a decree of Yeltsin after the coup. Contrary to the political milieu that the Federal Treaty of 1992 was drafted, Shaimiev concluded that the bargaining advantage now lay with Yeltsin and announced that Tatarstan would agree with the abolishment of local soviets (assemblies).

The constitution came into force on December 12, 1993 and it remains the basic document that defines the relations between the center and the regions. The 1993 constitution refined the asymmetrical federalism that was created by the Federal Treaty of 1992. The structure of the Russian government remained semi-presidential that a directly elected president shared responsibility with a prime minister, who needed the forbearance of the parliament. As a solution to the executive-legislative impasse the new constitution restricted the rights of the parliament to a great degree. First of all, the president had the right to dissolve the parliament on many occasions. According to Article 111, when the State Duma (the lower chamber) rejects the president's candidate for prime minister for three times the president can dissolve the parliament and call for new elections. Furthermore, according to Article 117 the president had the right to ignore the Duma's first vote of

⁵⁷ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 21 of 39

no confidence and in case of second vote of no confidence passed within three months, the president could again dissolve the parliament.⁵⁸

The new constitution set the grounds in determining the borders of the relations of the regions (*subekty*) with the center. It continued to give the republics the attributes of statehood (Article 5.2) and maintained that all components of the Federation were equal with each other in their relations with the center (Article 5.4). The constitution further restored the centralization of the political system. The Russian Federation was re-established as a three-tier state with the president, government and the parliament at the top of the layer; the eighty-nine regions of the Federation at the next layer; and the local governments at the third layer. The maintenance of a single economic space (Art. 8.1); the primacy of federal legislation and federal control over the judicial system (Art. 7.1); the federal control over foreign and security policies and institutions (Art.71) further served as the key centralizing provisions of the Constitution.⁵⁹

In federal constitutions the federal authorities and federal subjects are each granted special powers over specific policy areas. Besides areas of separate jurisdiction there is also a list of coexisting powers that come under the area of joint jurisdiction of the center and regions. The 1993 Constitution of the Russian Federation absolutely favored the federal center over the regions. Although the federal subjects were granted exclusive powers over a wide range of national policy areas, such as national economy, federal budget, federal taxes and duties, foreign and

⁵⁸ Eugene Huskey, "Democracy and Institutional Design in Russia", in *Contemporary Russian Politics: A Reader*, ed. Archie Brown, Oxford University Press, 2002, p. 38

⁵⁹ Martin Nicholson, "Characterising center-periphery relations in the Yeltsin era", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 8-9

defense affairs, the major policy fell under the area of joint jurisdiction between the federal authorities and federal subjects.⁶⁰

The Constitution called for the creation of a bicameral national parliament with an upper house, the Federation Council, consisting of two representatives from each of Russia's eighty-nine subjects. The eighty-nine components of the Federation were to send two representatives one each from the executive and legislative bodies of state power (Art. 95). The deficiency lied in the fact that the Constitution did not stipulate the method by which these two representatives were to be chosen. The eventual solution to this ambiguity was that the representatives would fill the upper house *ex officio*, but, on the condition that they were first elected. As a result the regions had unintended power over the president of the Federation through the Federation Council because first of all the elected regional leaders were immune from presidential interference; second, they had the right to remove the president from office.⁶¹

Yeltsin issued a decree that subjected the new constitution to adoption through a popular referendum in order to give the new document greater legitimacy. Besides the referendum for the new constitution Yeltsin's decree declared that elections for both the Federation Council and the Duma would be held in December; however, holding the referendum and parliamentary elections at the same time had been awkward because Yeltsin was asking people to vote for representatives to parliamentary bodies that did not exist. By doing so, Yeltsin gave political elites a

⁶⁰ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 3

⁶¹ The power of the regional leaders over the president of the Federation could only be balanced by Putin's federal reform of May 2000. See Martin Nicholson, "Characterising center-periphery relations in the Yeltsin era", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 9-10

real incentive to guarantee the voter participation both in the referendum and the elections because their own political careers were also at stake. The federal government issued orders to heads of regional administration to ensure by whatever means that local turnout exceeded the 50 per cent required to validate the referendum. Moreover, the federal government threatened to deprive parties of television time if they criticized the constitution. As a result of the referendum, the new constitution was supported by 58.4 per cent of the voters nationwide; however, it was rejected by a major of voters in sixteen regions and in eight of the twenty-one republics. In addition, in eleven regions and six republics the Constitution failed to be ratified when the turnout was below the required 50 per cent. Chechnya altogether boycotted the referendum.

Despite the uncertainties of the Federal Constitution, the serious budgetary impact of an escalating tax war between Moscow and the key republics (Tatarstan, Bashkortostan and Sakha) forced the federal government into a new phase of federal design. According to Article 11 of the new Constitution the division of powers between the federal government and the subjects may be regulated by bilateral treaties in addition to the constitution. In order to manage the long-running problem of contested sovereignty between the center and the ethnic republics of the Federation, Yeltsin decided to promote a new type of federal architecture based on a highly selective system of partial asymmetric federalism. As a result of bilateral negotiations between Moscow and key ethnic republics of the Federation, even as the new equalizing constitution was being drafted, the first of power-sharing treaties was signed with Tatarstan and was followed by Bashkortostan and Sakha. The selective asymmetric federalism was extended in a series of power-sharing treaties in 1994-98

with other republics and regions.⁶² Those treaties of a core group of resource-rich republics on which the center was economically dependent such as Tatarstan, Bashkortostan and Sakha (Yakutiya) deepened the segmented autonomy that had been given in the Federation Treaty. The bilateral treaties between the center and the ethnic republics generally fall into five main policy domains: legal, economic, cultural, foreign economic relations, and security. Nonetheless, the main difference between the bilateral treaties signed with the core ethnic republics and the others was that the power-sharing treaties with the core republics recognized a special status for these republics, whereas treaties with other republics simply delimited the powers in favor of the federal center. The areas specified by the treaties as being joint authority or equal status often constituted a significant loss of power for the federal government increasing the partial asymmetric federalism.⁶³ Partial asymmetric federalism was as deeply unpopular as was the ethnified asymmetric federalism of the Federal Treaty among the hegemonic ethnic Russian political elite because of the massive loss of revenue for the federal government.

2.4. Russian Federalism under Yeltsin and the Rise of Putin

Yeltsin administration created a formal power asymmetry in Russia preserved in the differing prerogatives granted republics and regions, and further codified in power-sharing agreements. In the 1990s, until Putin's reforms in 2000, the old hyper-centralized Soviet state gave way to the fragmentation of political authority and contesting definitions of sovereignty. The Federal Constitution and the bilateral

⁶² James Hughes, "Managing Secession Potential in the Russian Federation", *Regional & Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 50

⁶³ *Ibid.*, p. 51

agreements with forty-six *sub'ekty* of the federation resulted in a complex and unstable balance between the claimed privileges of the center and *de facto* powers of the regions. The republics expanded their *de facto* sovereignty by adopting laws that created a legal space that became increasingly distinct from that established by Moscow. In the vanguard of this process were Tatarstan, Bashkortostan, Khakasiya and Sakha. By the late 1990s at least fifty of the eighty-nine local constitutions and charters contradicted the federal one.⁶⁴ The asymmetrical federalism gave way to a distinct type segmented regionalism in which Russia had ninety governments. As a result by the end of Yeltsin's term Russia was becoming "not only a multi-national state but also a multi-state state, with numerous proto-state formations making sovereignty claims vis-à-vis Moscow"⁶⁵. Contrary to the European Union, where the pooling of sovereignty began to create a single political community, Russia witnessed the 'medievalisation' of politics where overlapping jurisdictions fragmented administrative and local practices.⁶⁶ When Putin came to power in 2000 his initial act was to give an end to decentralization and place the Federal Constitution at the center of the political process in regional relations.

In 1990s the constitutional asymmetry led to political asymmetry in Russia. Yeltsin had wanted the regions to be represented in the Federation Council by their executive and legislative leaders *ex officio*. The Federal Constitution replaced the Supreme Soviet with the Duma, the lower house of the parliament, which opposed on the grounds that an *ex officio* upper house would mostly consist of Yeltsin's appointees. As a last-minute compromise it was agreed that "the Federation Council

⁶⁴ Richard Sakwa, *Russian Politics and Society*, London and New York: Routledge, 2002, pp. 232-3

⁶⁵ *Ibid.*, p. 231

⁶⁶ Richard Sakwa, "Federalism, Sovereignty and Democracy", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 2

should be composed of the heads of the two branches of regional power *ex officio*, but that leader of the regional executive should first have been elected locally”⁶⁷. Moreover, under the Constitution local government is not a part of the system of state power. In August 1995 a law on self-government removed the power of the regional executive to appoint officials at the local level, which in turn caused the governors of large cities to become increasingly serious rivals to the regional leaders. The regional leaders could only achieve back their powers over the local governors after Putin’s top-down reform of the federal system. In spite of the fact that the attempts to change the balance of power between the center and regions had been very rare during Yeltsin administration, he had few responses to increasingly regionalization of power. In 1997 Yeltsin tried to increase the power of his appointed presidential representatives ⁶⁸ to the regions by delegating them the role of coordinating the federal institutions in their regions. The federal institutions that were depended upon the regional governors began to assert the president’s authority less and less due to the lacking consistent support of the weakening center towards the end of Yeltsin’s term. Putin abolished the system of presidential representatives on 13 May 2000.⁶⁹

The regionalization of foreign policy in 1990s had been another factor that increased asymmetrical federalism in the Russian Federation. The regions of Russia

⁶⁷ Martin Nicholson, “Characterising center-periphery relations in the Yeltsin era”, in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, p. 13

⁶⁸ The presidential representatives were first appointed in August 1991 in order to check regional against federal legislation, but in reality to act like the president’s eyes and ears in the regions. When Yeltsin lost his direct leverage over the governors as a result of their popular election, the role of the presidential representatives increased again. See Martin Nicholson, “Characterising center-periphery relations in the Yeltsin era”, in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, p. 14

⁶⁹ *Ibid.*, p. 14

signed over 300 agreements on trade, economic and humanitarian cooperation with foreign countries over the period of 1991-95. The Russian foreign policy was under the risk of ethnicising during the Kosova war of 1999 when Tatarstan threatened Russia to send Tatar volunteers to support the Muslim Albanians if Russian nationalists sent volunteers to assist the Serbians. Although the principle that only the federal government had the right to sign international treaties was upheld by several judgments of the Constitutional Court, by 2000 Tatarstan had signed fifty-six agreements with foreign institutions and had twenty representations abroad mainly dealing with economic issues.⁷⁰

The fiscal federalism in Russia, on the other hand, further created socio-economic asymmetry in the society. Fiscal federalism should promote territorial justice, economic efficiency, and political stability in principle. Nevertheless, in the case of Russia the system, especially over the period 1993-98, was rather decentralized.⁷¹ The indeterminate nature of the articles of the federal constitution and the lack of a federal tax code increased the ability of the regions to fight for gaining control of as much tax revenue as they could. As the republics had achieved different privileges and compromises through the bilateral agreements they signed with the center, the inequality and asymmetry among the components of the Federation increased significantly. Tatarstan led the way by securing the right to retain all the tax and export revenues collected on its territory, which provided the

⁷⁰ Richard Sakwa, "Federalism, Sovereignty and Democracy", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 12-13

⁷¹ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, pp. 72-3

Tatarstani economy with low prices and regular wage payments.⁷² During the financial crisis of 1990s cash disappeared from the regions and the economy started to function on the basis of barter due to the inability of the federal center to pay its workers in the regions. The reaction of the regional leaders to the August 1998 financial crisis was strongly protectionist. A number of regions stopped transferring their share of tax revenues to the federal budget; imposed price controls and banned the export of foodstuffs from their territories, which in turn increased the economization of the regions. The political and economic crisis of August 1998 revealed the weakness of the federal center vis-à-vis the regions on the one hand and the interdependence of one on the other. When Putin came to power he imposed a new Tax Code that would re-organize the fiscal relations between the center and regions.⁷³

2.5. Putin and the Federal Reforms

Putin was head of the ‘Main Oversight Department’ (*glavnoe kontrol’noe upravleniie*) within Yeltsin’s administration that gathered evidence on violations of federal laws and policies in the regions. Hence, he had the opportunity to witness the extent of the problem between the federal center and federal subjects.⁷⁴ On August 9, 1999 Yeltsin appointed Putin as his prime minister and on December 31, 1999 Yeltsin resigned his post making Putin Russia’s acting president. Yeltsin’s legacy to

⁷² Elizabeth Teague, “Putin Reforms the Federal System”, in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 208

⁷³ Martin Nicholson, “Characterising center-periphery relations in the Yeltsin era”, in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 15-16

⁷⁴ Nikolai Petrov and Darrel Slider, “Putin and the Regions”, in *Putin’s Russia: Past Imperfect, Future Uncertain*, ed. Dale R. Herspring, Maryland: Rowman & Littlefield Publishers, 2003, p. 203

the new president was a center that was unable to assert its authority over the regions or to ensure the supremacy of the federal constitution over the local constitutions; unable to tax resources, conscript manpower and execute policy; an undisciplined pluralism in which regional elites ignored the attempts of the center to enforce law; and increased corruption.⁷⁵ Putin's presidency was affirmed by the presidential election of March 26, 2000 as he won over 52 per cent of the eligible votes in the first round.⁷⁶ During the presidential campaign Putin said very little about center-regional relations; however, there were claims that Putin intended to establish a dictatorship of law over the regions. From May to September 2000 the main features of the reform on center-region relations were introduced, which were by Putin himself called the 'strengthening of vertical power'. Putin's reforms included the creation of seven new federal districts each headed by a presidential representative; the reform of the Federation Council; the creation of a new State Council; granting the president the right to dismiss regional governors who enacted measures that breached federal law; new rights for regional governors to dismiss local government leaders; and a major campaign to bring regional laws and federal constitution into harmony.⁷⁷

On May 13, 2000 Putin issued the first package of decrees whose key aim was to re-establish the vertical line of power in the Federation by reducing the powers of regional leaders. In this major reform of the federal system Putin divided

⁷⁵ Mark A. Smith, "Putin: An End to Centrifugalism?", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 19-20

⁷⁶ Dale R. Herspring, Introduction to *Putin's Russia: Past Imperfect, Future Uncertain* by ed. Dale R. Herspring, , Maryland: Rowman & Littlefield Publishers, 2003, p. 3

⁷⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 139

the country into seven districts –that are Central, Far Eastern, North-Western, Siberian, Southern, Urals and Volga Districts- and appointed plenipotentiary presidential representatives (*pol'nomochnyi predstavitel' prezidenta* or *polpred*) to each district, who were the part of presidential administration. The system was not new in origin because presidential representatives were first appointed during Yeltsin's term to act like an eye and ear of the president in the regions. Contrary to Yeltsin's term, though Putin appointed each of his representatives they did not report solely to the president. The seven representatives were given a seat on Putin's Security Council, in which important foreign and domestic priorities in government policy have been set up.⁷⁸ The major tasks of the presidential representatives had been defined as to guarantee the realization of the main direction of the domestic and foreign policy of the state in their federal districts; to monitor the implementation of federal and president's personnel policy in their districts; to provide the president with reports on the maintenance of the national security and the economic, political, social situation in their districts.⁷⁹ The first year's work of the presidential representatives was to bring regional legislations into conformity with federal law and the Russian constitution. In order to formalize the relationships between the center and regions the presidential representatives had to clarify the nature of bilateral treaties that were signed between the center and over half of the regions during Yeltsin's administration. The general perception of Putin and his team concerning the bilateral treaties was that the treaties had very limited legal standing

⁷⁸ Nikolai Petrov and Darrel Slider, "Putin and the Regions", in *Putin's Russia: Past Imperfect, Future Uncertain*, ed. Dale R. Herspring, Maryland: Rowman & Littlefield Publishers, 2003, pp. 209-210

⁷⁹ Mark A. Smith, "Putin: An End to Centrifugalism?", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, p. 23

and the federal law and presidential decrees had superiority over them. Apart from the defined tasks of the presidential representatives there were several other undeclared functions attributed to them such as bringing military, police and security organs back to the control of the center; controlling the process of gathering compromising material on regional leaders and to call for the dismissal of governors if they adopt law or decrees contradicting the federal laws; and influencing the political developments in the regions.⁸⁰ Putin's first decree was intended to counteract the flow of power from the center to the regions and to ensure that the federal center would be able to exercise its authority over the regions stemming from the Federal Constitution.

The new federal districts were drawn up to closely match with the boundaries of the Interior Ministry districts for the Russian Federation, which would assist the functioning of the Interior Ministry in the new federal districts. Moreover, the drawing up the boundaries of the new districts in a way that each district would include a mixture of ethnic republics and territorially defined regions had been another blow against the sovereignty claims of the ethnic republics. None of the capitals of the federal districts were in an ethnic republic, which in turn had been argued to be Putin's effort to level down the status of the republics to that of the regions.⁸¹ Each presidential representative had to coordinate a staff over 100 persons and officials from other federal agencies that quickly set up branches in the federal capitals of the seven districts, which gave way to criticisms that the federal reform was in fact another layer of federal bureaucracy. The ministries of justice and

⁸⁰ Nikolai Petrov and Darrel Slider, "Putin and the Regions", in *Putin's Russia: Past Imperfect, Future Uncertain*, ed. Dale R. Herspring, Maryland: Rowman & Littlefield Publishers, 2003, p. 214

⁸¹ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 140

internal affairs, the Procuracy, the tax police, and the FSB opened their own bureaus at the new administrative level following the establishment of the new federal districts.⁸² Apart from the federal agencies the presidential representatives began to create the institutions necessary to turn their districts into mini-regional states. The presidential envoy to the Volga Federal Okrug Sergei Kirienko, for instance, created a coordinating council for regional legislative chairmen that would develop a united approach for drafting regional legislation and bringing regional laws in conformity with the federal law. These developments in the districts further undermined the constitutional equality of the federal subjects, which in turn intensified the asymmetry between the components of the federation.⁸³ As the presidential representatives and their federal inspectors were given the task of creating a ‘unified legal space’ in the federation; bringing the regional constitutions, bilateral treaties and laws in conformity with the federal norms Putin further strengthened the power of the presidential representatives by tasking them with the creation of a single information system. Hence, the right to nominate regional directors of Russian state-owned radio and television stations was taken from the hands of the regional leaders and given to the presidential representatives.⁸⁴

The second major initiative of Putin was to reform the Federation Council, the upper house of the Russian legislature. Similar to the upper houses in most bicameral parliaments the Federation Council acts as a revising and amending

⁸² Eugene Huskey, “Overcoming the Yeltsin legacy: Vladimir Putin and Russian Political Reform” in *Contemporary Russian Politics: A Reader*, ed. Archie Brown, Oxford: Oxford University Press, 2002, p. 88

⁸³ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, pp. 144-5

⁸⁴ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 244

chamber, which cannot be dismissed by the President. The law on reforming the Federation Council was signed by Putin on 5 August 2000. According to the law the governors and the chairs of regional assemblies had lost their *ex officio* right to sit in the Federation Council. Instead, the executive representative of the regions would be appointed by the governor/president of the subject for the period of his term in office and the appointment would be subject to the confirmation of the two-thirds of the deputies in the legislative body of the region. The representative of the legislation, on the other hand, would be chosen by the members of the subject's legislative assembly.⁸⁵ The reform of the Federation Council marked the point that once the governors of the regions lost their *ex officio* right to membership of the upper house they automatically lost their immunity from criminal prosecution.⁸⁶ As a result, Putin had re-asserted the sword of Damocles over the chief executives to keep them in line strengthening the power of the federal center vis-à-vis regional leaders. From their seats in the Federation Council, the governors resisted these reforms as best as they could. First, they managed to postpone their expulsion from the Federation Council from 2001 to 2002. Second, the bill allowing the president to impeach governors was fenced around with restrictions. Although the president now has the right to dismiss the governors, he cannot do so automatically. When a governor issues decrees or normative acts that violate federal law first a court should find the decree unconstitutional and the governor must either annul the decree or appeal to court or face a warning. If the warning is ignored then the president can remove the governor

⁸⁵ Mark A. Smith, "Putin: An End to Centrifugalism?", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 25-26

⁸⁶ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 146

from office preserving the governor's right to appeal to the Supreme Court.⁸⁷ The most important outcome of the federal executive's power to dismiss regional legislatures and executives that violated the federal laws is the involvement of the judicial branch at the initial stages of the process. Moreover, a grant of power to the federal executive to dismiss the popularly elected regional governors is an extraordinary authority in a federal system. To subject the regional governors to discharge is a threat to the separation between regional and federal administration.⁸⁸ The measures brought by the reform of the Federation Council represented the first major move of the federal center to reverse the flow of power from the center to the regions by extracting the powers of republican presidents and regional governors to achieve concessions from the Russian president and other officials in the central executive.

In September 2000 Putin issued a decree declaring the formation of a State Council, which would be a consultative body that would bring the president together periodically with chief executives from the regions to discuss the matters of common interest, in order to placate hostile regional leaders who were alarmed by losing their *ex officio* rights to membership of the Federation Council. The council also has a seven-member presidium, consisted of one governor from each of the federal districts, whose membership rotates every six months. Since Putin had to compromise the continuity of regional governors' membership to the Federation Council through 2001, the State Council's first year of operation had been

⁸⁷ Mark A. Smith, "Putin: An End to Centrifugalism?", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 26-27

⁸⁸ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 261

complicated. The governors had to combine the job at the State Council with their work in the Federation Council.⁸⁹ Nonetheless, neither the State Council nor the presidium has real powers. The Council is to meet with the president once every three months and its agenda is decided by the president. It is a consultative body; therefore, it cannot pass legislation. As a result, the main aim of the State Council is to give the regional leaders a direct access to the president and to provide an alternative source of information for the president.⁹⁰

As a part of his overall effort to strengthen the federal government vis-à-vis the regions Putin reformed the way Russia's tax revenues are divided between the center and regions. According to Article 48 of the Russian Budgetary Code, the regions should receive at least 50 per cent of Russia's overall tax income. Nonetheless, the federal government suspended this article temporarily in 2001 and 2002. In 2001 the federal center received 51 per cent, whereas the regions received 49 per cent and in 2002 the difference between the shares of the center and regions widened to 62 per cent for the center and to 38 per cent for the regions. At the beginning of 2001 the second part of the tax code came into effect that called the regions to send 100 per cent of the VAT revenues to the federal budget.⁹¹

To overall, as the case of Russian Federation illustrated above shows that in a country of rich and strong internal diversity the emergence of asymmetrical federalism was highly probable. One might argue that the Russian type of asymmetry

⁸⁹ Mikhail Stoliarov, *Federalism and the Dictatorship of Power in Russia*, New York: Routledge, 2003, p. 154

⁹⁰ Mark A. Smith, "Putin: An End to Centrifugalism?", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd, and Anne Aldis, , New York: Routledge Curzon, 2003, pp. 28-29

⁹¹ Robert Orttung, "Key Issues in the Evolution of the Federal Okrugs and Center-Region Relations under Putin", in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. Peter Reddaway and Robert W. Orttung, Rowman & Littlefield Publishers, 2004, pp. 31-32

was unavoidable in order to keep the country in unity, or, asymmetry was a forced response to the ‘parade of sovereignties’ of the early 1990s. In 1990, it was Boris Yeltsin himself who encouraged the regions to take as much sovereignty as they could swallow and initiated the ‘Parade of Sovereignties’ by convincing the Russian Supreme Soviet to declare its sovereignty. As a result, Yeltsin had opened the Pandora’s box, which was impossible again to close.

The outcome of the federal reforms of President Putin sought to break down the personal power of regional leaders that was rapidly increasing during Yeltsin administration and to strengthen the central government vis-à-vis the regions. As the following chapters will demonstrate, regional leaders seem to find the ways of dealing with the presidential representatives and the reforms of Putin for the time being; however, the long-term results of the reforms are still uncertain. At least it is possible to say that the reform of the relations between the center and the regions is slowing down removing the urgency of bargaining. The bargaining strategies between the center and the regions will be examined in the following chapters through the case studies of Tatarstan and Bashkortostan.

CHAPTER 3

TATARSTAN AND ITS FEDERAL BARGAINING WITH MOSCOW

Relations between Moscow and the regions constitute a key element in the contemporary political system of the new Russian Federation. The Russian Federation consists of twenty-one republics based on the ethnic principle, one of which is the Republic of Tatarstan. In the context of the new Russian federal system that emerged in the post-Soviet period the relations between the federal center and its regions are regulated with the Federal Constitution and bilateral treaties signed between the center and the constituent units. Therefore, Russian federalism is based on a power-sharing model of governance.⁹²

This chapter initially tries to answer the question ‘who is a Tatar?’ and examines the history of Russian-Tatar relations that brought them to the post-Soviet era. The Tatar position in the Federation Treaty of 1992, the Federal Constitution of 1993, and the Bilateral Treaty of 1994 is further analysed in the following pages of this chapter. The distinct position of Tatarstan in the federal bargaining process will be illustrated to provide a comparison with the neighboring Bashkortostan.

⁹² Oksana Oracheva, “The Dilemmas of Federalism: Moscow and the Regions in the Russian Federation” in *Restructuring Post-Communist Russia*, eds. Y. Brudny, J. Frankel, and S. Hoffman, Cambridge: Cambridge University Press, 2004, p. 181

3.1. Historical Background

The thesis upon the etymology of the word ‘Tatar’ is two folded: Mongol and Turkic.⁹³ The supporters of the Mongol thesis argue that the name of Tatar in the Orhun Inscriptions, where it is initially mentioned, refers to one of the Mongol tribes coming from the lines of Gingham Khan.⁹⁴ During the 6th and 7th centuries the Mongol Tatars were living among the Turkic clans, which revived the semi-nomadic Turkish Khanate. When Gingham Khan invaded their lands in the 13th century the Mongol Tatars were included in the armies of Batu Khan, like the other Turkish tribes living in Central Asian and Southern Siberian plains. When Batu Khan started to invade the lands of Eastern Europe in 1236, they came in contact with the Kypchak Turks who controlled the vast geography between the rivers Irtysh and the Danube. The annexation of the Mongol Tatars by the armies of Gingham Khan in the 13th century marked such a great victory that Gingham Khan enacted a law in 1206 declaring to name all newly invaded lands and peoples as ‘Tatar’, as a result, the Mongol invaders started to be called as ‘Tatar’ especially as they fall apart from their motherland. It is possible to say that the Mongol invasions had gifted the name of ‘Tatar’ to the peoples of Golden Horde.

The Turkic thesis on the etymology of the word ‘Tatar’ bases its argument on Mahmud al-Kashgari’s dictionary of Turkic languages, *Diwan-i Lughat-it-Turk*, which mentions the existence of a Turkish speaking Tatar group in the west of the river Irtysh at a time long before the Mongol invasions.

⁹³ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 4

⁹⁴ These tribes were called as *Ta-Tan* or *Da-Dan* in Chinese sources. See Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 4

Despite the several debates on the ethnic roots of the Tatars one point that has been agreed on by many scientists is that the 16th century Kazan Tatars were living in the northern part of the Bulgar Khanate that had existed before the Khanate of Kazan.⁹⁵ By 10th century the Arab travelers had started to talk about a Bulgar Khanate in the Middle Idil region. The Bulgars had expanded their lands until 11th and 12th centuries. The Khanate was ethnically heterogeneous, which had been the source of tribal rivalries.⁹⁶ In 922 Islam became the official religion of the Bulgar Khanate, but, Islam had become the religion of the people living along the River Idil and Kama long before the year 922.

The Bulgar-Russian relations of the 12th and 13th centuries were full of tension and conflict and what gave way to a peace agreement between the two sides was the growing Mongol danger in 1223. When Batu Khan started his military campaign for Eastern Europe in 1236 the Bulgars could not stand against the Mongols. The direct result of Mongol invasion was the abandonment of the Bulgar lands by large masses of the population. Most migrated to the north of Kama.⁹⁷

As the Golden Horde completed its political and administrative structuring over the invaded lands the old Bulgar Khanate, which was completely scattered, tried to continue its existence among the newly emerged khanates. In the 14th and 15th

⁹⁵ The basic arguments on the ethnic roots of Kazan Tatars can be categorized as the Kypchak and Bulgar theses. The supporters of Kypchak thesis argue that the Golden Horde Tatars are the ancestors of Kazan Tatars. The Bulgar thesis, on the other hand, argues that the ancestors of Kazan Tatars are a Turkic group, namely the Bulgars, which flee into the regions of Middle Idil and Kama in order to escape from the Arab invasions of the 8th century. Azade-Ayşe Rorlich criticizes these theses mainly because they are one-sided and undermine the complex interaction between different cultures that lived together for a long time.

⁹⁶ The tribal rivalry between the Bulgars and Suvars gave birth to two political centers in the 10th century: Biliar-Bulghar and Suvar. Biliar-Bulghar appeared to end the dominion of Suvar before the end of the century.

⁹⁷ The Mongol armies marched on Kiev, which was the biggest Russian principdom, after invading the Bulgar lands in 1240. Kiev fell on December 6, and Batu Khan continued his march throughout Eastern Europe. In 1241, when the Great Khan died Batu Khan stopped the campaign over Hungary and decided to turn back in order to follow who would take the khan's place.

centuries the Bulgar lands became the arena of war and destruction resulting in a new wave of migration towards the northwest and northeast. This second shift helped the ethnic unification and consolidation around Kazan.

The year of 1445 marked the first year of the Kazan Khanate. The free days of Kazan Tatars were continuously interrupted by Russian expansionist attacks towards the northeast. Moscow invaded Kazan in 1552, as Rorlich argued, as a result of the militant Orthodox ideology to establish an autocratic Moscow state.⁹⁸ The annexation of Kazan into Russian lands had important repercussions. First, Kazan's invasion opened the path for Moscow to become a multinational empire. Second, the Turkic and Muslim people of the Kazan Khanate were the first among the Slavic and Christian population of the Moscow state.⁹⁹ The fall of Kazan endangered the existence of Kazan people as a distinct national, religious and cultural identity. The period from 1552 to 1755 witnessed the forcible Christianizing toward the new *inorodtsy*¹⁰⁰ of the Moscow Empire. These efforts went through different phases, but, during the reign of Ivan IV and Elizabeth II it was most active. The oldest Tatar Christian group, *starokreshchennye*, for instance came into being as a result of the forcible Christianizing activities during the reign of Ivan IV. These Christianizing policies were mostly resulted in the mass migration of Idil Tatars to Bukhara, Kazak steps and Central Asia. Nevertheless, in the mid-eighteenth century pacification of the Kazak steppe, fear of Ottoman influence in the region, the safety of Russian

⁹⁸ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 74

⁹⁹ *Ibid.*, p. 83

¹⁰⁰ *Inorodets* is mainly referred to the eastern people of the Russian Empire living beyond Ural Mountain and Idil River.

trade, and the prospects of further penetration into Central Asia forced the Russians to adopt a more conciliatory attitude towards the Tatars.¹⁰¹

The reign of Catherine II is generally mentioned as a period of Tatar revival; however, this does not mean that Catherine II gave an end to Christianization policies. Compared to her predecessors Catherine II restricted the support given to the missionary activities. In 1773 Catherine II authorized construction of mosques and promulgated tolerance of the Muslim religion. In 1788 the Act of Tolerance for Muslims in Russia was enacted, which established the Muslim Ecclesiastic Assembly in Ufa putting the entire Muslim administration in eastern Russia in the hands of the *mufti*.¹⁰² The Russian penetration into Central Asia opened new markets for Tatar tradesmen in regions inhabited by a people related to them in language and culture putting the Tatars into a very advantageous position vis-à-vis the Russian tradesmen. By the end of eighteenth century, the merchant class of the Tatar society became the strongest element.¹⁰³

The Tatar revival of the nineteenth century was not restricted to the field of economy but also extended to the fields of religion and culture. The Tatar reformist movement started with the reassessment of religious way of thinking by the end of the 18th and the beginning of the 19th century and continued with cultural and

¹⁰¹ Edward Lazzarini, "Volga Tatars in Central Asia, 18th-20th Centuries: From Diaspora to Hegemony" in *Central Asia in Historical Perspective*, ed. Beatrice F. Manz, Boulder, San Francisco, Oxford: Westview Press, 1994, p. 88

¹⁰² The establishment of the institution of *muftiat* implied the recognition of Islam as a distinct religious entity, resulting in the revival and strengthening of Muslim community. The legislative acts of Catherine gave the license to Muslim communities of Russia for printing Muslim religious books, particularly the *Kur'an*, which later gave way to the growth of cultural life among the Muslim Tatars. Apart from the construction of mosques and *mektebs*, caravansarais were also built for the use of Muslim travelers and merchants that carried trade into Central Asia. See Serge A. Zenkovsky, "A Century of Tatar Revival", *American Slavic and East European Review*, Vol. 12, No. 3, Oct. 1953, p. 304

¹⁰³ *Ibid.*, p. 305

educational reforms. By the beginning of the 20th century the Tatar reformist movement reached at a political goal. The growing Tatar bourgeoisie since the reign of Catherine II supported the schools financed the building of mosques and the printing of books.¹⁰⁴ The Tatar reformism gained impetus by the end of the 19th century under the leadership of Ismail Bey Gasprinski (or Gasprali), a representative of the Crimean intelligentsia. In his newspaper *Tercuman*, which was first issued on April 22, 1883 with a distinguishing feature of dual-language format: a Russian text with a Turkish translation, Gasprinski supported the idea of the integration of Turkic people under a common nationality and culture. His slogan was “Common language, common ideology, and common action”.¹⁰⁵ In the mid-1870s, Gasprinski, as a part of his multi-faceted strategy decided to organize new types of schools (*usul-i cedid*) to catch up with the needs of modern life¹⁰⁶, to encourage book publishing, and to organize mutual aid societies.¹⁰⁷ Gasprinski’s ideas played an important role to shape later nationalist identity formation among the Crimean Tatars as well as the other Turkic-Muslim subjects of the Russian Empire. Gasprinski’s Pan-Turkist nation was, for the first time, based primarily on Turkic ethnicity and language rather than Islam.¹⁰⁸

¹⁰⁴ “By 1844 there were four *medreses* in Kazan, and in 1860 there were throughout the mid-Volga region and southern Urals 1859 Tatar *mektebs* under the supervision of the Muslim Ecclesiastic Assembly.” *Ibid.*, p. 313

¹⁰⁵ *Ibid.*, p. 314

¹⁰⁶ “By 1916 there were in Kazan ten *medreses*, eleven *mektebs* and fourteen Russian-Tatar schools; in Orenburg, Ufa, and even in the villages, new *medreses* and *mektebs* were built, while the older ones were reorganized.” *Ibid.*, p. 315

¹⁰⁷ Edward Lazzarini, “Ismail Bey Gasprinski’s *Perevodchik/Tercuman*: A Clarion of Modernism”, Translated by Bülent Tanatar, <http://www.ismailgaspirali.org/ismailgaspirali/yazilar/ellazzarini.htm>, p.2

¹⁰⁸ Brian Glyn Williams, “Reinterpreting Ismail Gasprali’s Legacy. Crimean Ataturk, Russian Collaborator or Pan-Turkist Threat to the Russian Empire”, Translated by Bülent Tanatar, <http://www.ismailgaspirali.org/ismailgaspirali/yazilar/bwilliams.htm>, p.8

In April 1905 the landowners, traditional ulama, the industrial and merchant bourgeoisie and the *jadid* intelligentsia called for the First All-Russian Muslim Congress, which was followed by three other congresses, to discuss the issues of culture, education, civil rights of Muslims of Russia and the creation of a Muslim political party that will involve into national politics. When Tsar Nicholas II granted some rights and liberties to the people of Russia at the time of the first Russian Revolution on October 17, 1905, the *Jadid* movement among the Volga Tatars had been developed enough to make best of the promises made. The creation of a political party called Union of Russian Muslims was made official in the Second All-Russian Congress of Muslims that took place in St. Petersburg between January 13 and 23, 1906.¹⁰⁹ The Union established ties with the Constitutional Democrats, the Bolsheviks, and the Octobrists, forming a Muslim faction in the State Duma. The Third All-Russian Muslim Congress, which was held in N. Novgorod between August 16 and 20, 1906, became the arena of discussion among the opposition wings regarding the political stand that should be taken. The dilemma of the *jadid* intellectuals between the Western ideals and their emotional attachment to Islam resulted in these discussions and the conservative backlash starting from the year of 1907.¹¹⁰

The failed efforts of the Volga Tatars to gain political influence in Russia between the turbulent years of February and October revolutions of 1917 were also the indicators of later conflicts among the Tatars and Bashkirs in the formation of a unified Tatar-Bashkir Republic. The desire of the Volga Tatars for leadership in a

¹⁰⁹ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 113

¹¹⁰ *Ibid.*, p. 121

Pan-Turkist and Pan-Islamist Turkic Empire met with strong opposition even in the Volga-Ural region where Bashkirs refused to support the centralistic Tatar policies.¹¹¹ The October Revolution and the fall of autocracy were welcomed by the Jadids as an opportunity to achieve national salvation. The growing anti-imperialist tone in the rhetoric of Jadids at the time of Ottoman defeat in the World War I fit very well with the Bolshevik practice of the moment.¹¹²

At the eve of the Civil War, Narkomnats issued a decree on March 23, 1918 proclaiming “territory of southern Ural and Middle Volga the Tatar-Bashkir Soviet Republic of the Russian Federation”.¹¹³ Nevertheless, when the Tatar-Bashkir country fell into the heart of the confrontation between the Bolsheviks and the Whites the discussions over a Turkic republic in the Volga region became meaningless. The project of a Tatar-Bashkir Republic in the Volga region was re-submitted to the Second All-Russian Muslim Congress of Communist Organizations of the Peoples of the East, which met in Moscow between November 22 and December 3, 1919, by M. Sultangaliev.¹¹⁴

¹¹¹ Serge A. Zenkovsky, “A Century of Tatar Revival”, *American Slavic and East European Review*, Vol. 12, No. 3, Oct. 1953, p. 317

¹¹² For Stalin, the Muslim areas of the Russian Empire were inhabited by “culturally backward peoples” and the task of the Soviet regime was to raise the cultural level of the backward peoples, to enlist the toiling masses in the building of the Soviet state and to eliminate all disabilities that prevent the peoples of the East to survive from medievalism and national oppression. See Adeeb Khalid, “Nationalizing the Revolution in Central Asia: The Transformation of Jadidism, 1917-1920”, in *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin*, eds. Ronald Grigor Suny and Terry Martin, Oxford: Oxford University Press, 2001, p. 153

¹¹³ The First All-Russian Muslim Congress that was gathered on May 1, 1917 deepened the incompatibility between the Volga Tatars, who favored an extraterritorial cultural autonomy within a centralized but democratic Russian republic, and the Azeris, Crimeans, and Central Asians, who supported territorial autonomy within a federal republic. As a result, the Second All-Russian Muslim Congress -July 21-August 2 1917- was an exclusively Volga Tatar political event because the ones who did not favor the idea of an extraterritorial cultural autonomy chose not to join. See Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 136

¹¹⁴ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 137 Mirsaid Sultangaliev was a jadid teacher and a sincere communist who became the most prominent Muslim communist in the hierarchy of the Bolshevik Party by 1920. He fought against Russian nationalism and any type of separatist movements of Turkish speaking groups. He was expelled out the Communist Party in 1923. Between 1923 and 1928 -his final arrest and banishment- Sultangaliev gave impetus

Sultangaliev, on the issue of the formation of the new Union of Soviet Socialist Republics, opposed plans for a federation of ethnically-based units, small and divided vis-à-vis the large and powerful Russian Republic. Contrary to these arguments, Sultangaliev advocated creation of a Republic of Turan, a pan-Turkic entity which would combine the territories of Central Asia, the North Caucasus, Azerbaijan, Daghestan, and the Middle Volga.¹¹⁵ The ideology of ‘national communism’¹¹⁶ developed by Sultangaliev challenged the Russian dominance of the international revolutionary movement treating the Tatars as the ‘pioneers of the social revolution in the East’¹¹⁷. The challenge was too overwhelming that cautioning Stalin against national communists and the Tatars, who were “the worst of them all”¹¹⁸. The Politburo of the Central Committee of the Russian Communist Party decided to halt all efforts to create a Tatar-Bashkir Republic at its December 13 meeting. This decision was further solidified by the establishment of the Bashkir Autonomous Soviet Socialist Republic on March 23, 1919, which was followed by the idea of creation of a Tatar autonomous republic. On May 27, 1920 the formation

to the nationalist drive –organizing, leading underground nationalist societies, and continuing to add new theses to his program. On December 8, 1939 he was executed by shooting.

¹¹⁵ Edward Lazzarini, “Volga Tatars in Central Asia, 18th-20th Centuries: From Diaspora to Hegemony” in *Central Asia in Historical Perspective*, ed. Beatrice F Manz, Boulder, San Francisco, Oxford: Westview Press, 1994, pp. 93-94

¹¹⁶ National communism represents Sultangaliev’s own interpretations of the relationship between communism and Islam, of the dynamics of the revolutionary process, and of the relationship between social and national revolution in the economically backward countries. The future of the revolution lies in the East, not in the West, among peasant and semi-colonial societies, not in advanced societies. Therefore, he did not speak of classes but of proletarian nations and of the need to preserve the cohesion of the Turkic/Muslim world.

¹¹⁷ Edward Lazzarini, “Volga Tatars in Central Asia, 18th-20th Centuries: From Diaspora to Hegemony” in *Central Asia in Historical Perspective*, ed. Beatrice F Manz, Boulder, San Francisco, Oxford: Westview Press, 1994, p.94

¹¹⁸ Quoted in Edward Lazzarini, “Volga Tatars in Central Asia, 18th-20th Centuries: From Diaspora to Hegemony” in *Central Asia in Historical Perspective*, ed. Beatrice F Manz, Boulder, San Francisco, Oxford: Westview Press, 1994, p. 94

of the Tatar ASSR was declared covering an area smaller than the projected Idel-Ural state.¹¹⁹

Stalin by 1929 had achieved power in the Soviet Union and consolidated that power by a series of purges¹²⁰ that continued until his death in 1953. The year of 1934 marked the point at which Stalin began the systematic terrorizing not of political components but of colleagues and party members. By the end of 1930s Stalin managed to achieve total dominance over Party, government, and military; nevertheless, it did not stop. Purges were further used as a way of forcing the regions and nationalities into total subordination. Leninist nationality policy promoted the formation of nations and the development of national languages and cultures.¹²¹ Stalin's act against efforts of establishing a socialist but nationalist-Turkic Turan that would include Turkestan and other Muslim regions was initiating a wide-range purge of party and government officials in the Tatar autonomous republic in 1928.

The 1930s marked a new era in Soviet nationality policy and its outcomes. The flowering of the nations led to the creation of intelligentsias whose goals were to

¹¹⁹ Between the years of 1920 and 1923 Sultangaliev and his cohorts still had the command on the political and cultural life of the Tatar republic. Nevertheless, Sultangaliev was purged at the Twelfth Party Congress held in April 1923 and arrested one month later. He was expelled from the Communist Party at the Fourth Conference of the Central Committee of the Russian Communist Party held in 1924 in Moscow and was condemned for nationalist deviations in the resolutions of the same conference. Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 154

¹²⁰ Purge was a means to purify and preserve the Communist Party and the Soviet Union in theory, and in practice it was the means by which Stalin destroyed or removed anyone whom he regarded as a threat to his authority. See Michael Lynch, *Stalin and Khrushchev: The USSR 1924-64*, London : Hodder & Stoughton, 2001, p. 55

¹²¹ Leninist Nationality Policy degraded Russian superiority in the social, cultural and political lives of the non-Russians as 'great Russian chauvinism'. The representation of non-Russians in the party and local cadres, the use of local languages as the official language of communication among the indigenous people were favored in the 1920s. The creation of separate nations with their own distinct languages also aimed to block the development of pan-Islamic and pan-Turkic movements among the Muslim population of the Union. Sultangaliev, within this context, was accused of pan-Turkism and pan-Islamism and of placing the interests of Muslims above those of the party. As a result, despite the battle against Great Russian chauvinism, he was excluded from the party for nationalism.

achieve as much autonomy as possible. This led Stalin to adopt a new policy to promote Russification. Soviet patriotism took place of revolutionary idealism giving the leading role to the Russian nation in the Soviet Union. The Russian nation was favored as first among the equals. In 1938 Russian became compulsory in all non-Russian schools; non-Russian military schools and other establishments were closed.¹²² Russification process of Stalin was deepened through further acts of purge that started in the autumn of 1936 in order to decapitate the non-Russian national elites. Sultangaliev was arrested in 1938 and sentenced to death in December 1939 and was executed on 28 January 1940. By the eve of the Second World War the most prominent figures of ethnic leaders and intellectuals in Central Asia were eliminated.

Destalinization in the party work and agriculture were the two important elements of the Khrushchev era. Nationality affairs played the major role in the destalinization process. “A Presidium decree of 12 June 1953 ordered all party and state organs in the non-Russian republics to end the distortions in nationality policy; to groom and promote locals for leading positions; officials who did not speak the local language were to be dismissed and put at the disposal of the CC; and the local language was again to become the norm in communications within republic.”¹²³ Nevertheless, it did not last long. The Khrushchev leadership backed away from its nationalities policy after 1956. The education reform of 1958 led to considerable conflict over the issue of instruction language at schools. The new decree over the issue proposed that the parents should choose which language was used. When republics such as Azerbaijan and Latvia refused to follow the instructions the purge

¹²² Martin McCauley, *The Khrushchev Era, 1953-1964*, London: Longman House, 1995, pp. 124-5

¹²³ *Ibid.*, pp. 260-261

of party and government officials started. They were not killed as it was the practice in the Stalin period but they lost their posts and many were given minor jobs.

3.2. Perestroika and Tatar Nationalist Mobilization in the Late Soviet Period

When Mikhail Gorbachev became General Secretary of the Communist Party of the Soviet Union in March 1985 hardly anyone believed the possibility of a nationalities crisis that would eventually blow apart the Soviet state. The confidence in the stability of the Soviet national order was the fundamental assumption behind Gorbachev's efforts to reform the USSR and to initiate the policies of *glasnost* (openness) and *perestroika* (restructuring). At the 27th party congress in February-March 1986 Gorbachev defined the aim of *perestroika* as the improvement of economic performance, the intensification of production, the structural reorganization of the economy, improved management and better incentives for labor.¹²⁴ *Glasnost*, on the other hand, represented an attempt to generate ideas and instruments of change.

The demands for greater autonomy and devolution of authority from Moscow, which embodied in riots and demonstrations in 1987, soon evolved into calls for 'sovereignty' due to the mobilization of national movements. Nevertheless, the claims for sovereignty did not imply independence in the sense of secession from the Soviet Union at first. While the popular front movements in the Baltic republics demanding respect from the center for the constitutionally recognized status of the union republics as sovereign states, the Tatar intellectuals started to express their demands "...to equalize the status of all the national republics, without dividing

¹²⁴ Richard Sakwa, *Gorbachev and His Reforms 1985-1990*, Prentice Hall, 1990, p. 8

them into union and autonomous republics”¹²⁵. In February 1988 this group of intellectuals evolved into a new nationalist organization, Tatar Public Center (TOTs), which defined “its main goals to be raising the ethnofederal status of the Tatar ASSR, making Tatar official language of the republic, and achieving Tatar ‘sovereignty’”¹²⁶. The TOTs activists understood sovereignty as a prerequisite for nationalizing society and moving toward eventual independence from Moscow. The decisions of the Nineteenth Party Conference in the summer of 1988 on transferring the USSR into a “law-governed state” constituting a new Supreme Soviet to serve as an effective forum for the exchange of opinions further set the ground to stimulate nationalist mobilization. Moreover, the first secretary of Tatarstan alleged that the Tatar ASSR should be presented greater economic autonomy and budgetary independence taking into consideration the fact that Tatarstan had retained almost nothing from the profits achieved through oil, which was discovered in Tatarstan shortly after the end of the World War II.¹²⁷

The Tatar nationalist milieu of late 1980s was mixed. Initially the idea of a new statehood took the form of a claim for the status of union republic for Tatarstan because at that stage the Soviet hierarchical ranking of the republics seemed to be the major source for inter-ethnic tensions. The Tatar Public Center (TOTs), which was founded in February 1988 and through which the Tatar nationalist movement had

¹²⁵ Quoted in Edward W Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 89

¹²⁶ Mark R Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 264

¹²⁷ Tatarstan also has significant reserves of natural gas, coal, and other natural resources, and it hosts one of the largest oil pipeline systems in Eastern Europe. Moreover, the Kama Automobile Plant (KamAZ), which is the largest truck manufacturer of the Soviet Union, and Kazan Helicopter Works were located in Tatarstan. As a result, in the late 1980s the industrial output of Tatarstan was greater than that of the three Baltic republics together. See Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetrical Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 4 of 39.

been mobilized, initially adopted a moderate program as well insisting that Tatarstan be made a union republic. Furthermore, both the Tatar and Bashkort nationalists viewed the Soviet government as their potential allies in their struggle vis-à-vis the Russian republic within which the Tatar and Bashkort ASSRs were located.¹²⁸ Nevertheless, there appeared a major difference between the Tatar *nomenklatura* and TOTs activists, both supporting sovereignty with different motivations, in 1989. Contrary to local *nomenklatura*, which saw sovereignty vis-à-vis the RSFSR as a means for raising their status within the Soviet hierarchy, the TOTs activists understood sovereignty as a necessary requirement for nationalizing society and moving eventual independence from Moscow.¹²⁹ The initial motivation to raise the hierarchical status of Tatarstan from an autonomous republic to a union republic and to give an end to historic inequality began to transform into an understanding of sovereignty that would pave the path to complete independence, something that the Volga Tatars had not own since 1552. Nonetheless, in 1989 as rumblings in the USSR's union republics, particularly the Baltic republics, became much louder the nationalists activists in the regions pressurized the regional political elites to try to co-opt the pro-sovereignty agenda spreading from the Baltic States. The TOTs' activists claimed publicly all credit to pressurize the political elites of the republic and made use of the mass media in order to disseminate their ideas. New periodicals of *Idel'* (Volga), *Argamak* (Pegasus), *Miras* (Legacy), *Gasır avazı* (Echo of Centuries), *Salavat küpere* (Rainbow Bridge); the newspapers *Suverenitet* (Sovereignty), *Altın Urda* (Golden Horde), *Nezavisimost'* (The Independent); and the

¹²⁸ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 263

¹²⁹ *Ibid.*, p. 264

weekly *Médéni jomga* (Cultural Friday) contributed to the intensification of national sentiments among the Tatar society.¹³⁰

In March 1990 more radical members of TOTs split from the organization and established the *Ittifak* (Alliance) National Party¹³¹ adopting a more militant nationalist program. *Ittifak* persistently demanded immediate independence for Tatarstan and enunciated a program of “Tatarstan for Tatars”.¹³² By the end of 1990 *Ittifak* had been reinforced by the formation of the Union of Tatar Youth, *Azatlyk*, which became the major propulsive force of the Tatar national movement. While the rise of *Ittifak* and *Azatlyk* marked a growing consolidation of the radical wing of the Tatar national movement, Mintimer Shaimiev, who was appointed as the first secretary of CPSU in October 1989, was adopting a rigid stance against radical Tatar nationalism. The sovereignty declaration of RSFSR on 12 June 1990 and Yeltsin’s call to Tatars in Kazan urging them to “take as much sovereignty as you can swallow” instigated daily mass demonstrations in Tatarstan pressurizing the Tatar government to respond boldly to Russia’s sovereignty declaration.¹³³ The sovereignty declaration of Russia made clear that Moscow still seemed to turn a deaf ear to the Tatar claims of raising the status of the republic to union republican status. As a response by the end of August the Tatar Supreme Soviet had issued its own sovereignty declaration that unilaterally raised the status of Tatarstan to that of a

¹³⁰ D. M. Iskhakov and L. V. Sagitova, “The Tatar National Movement of the 1980s-90s”, *Anthropology & Archeology of Eurasia*, vol. 43, no. 3, Winter 2004-5, pp. 17-18

¹³¹ *Ittifak* was the name of an organization that was set up by the first generation of Tatar nationalists during the revolution of 1905-7. The founders of the party in 1990 were Fauzia Bairamova and R. Mukhametdinov with 250 members overall. Contrary to its tiny membership the influence of the party extended far beyond. See Sergei Kondrashov, *Nationalism and the Drive for Sovereignty in Tatarstan, 1988-92: Origins and Development*, London: MacMillan Press, 2000, p. 133

¹³² Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetric Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 8 of 39.

¹³³ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 265

union republic and the name of the republic to the Republic of Tatarstan.¹³⁴ The declaration made no mention of being a constituent unit of the RSFSR; on the contrary, it was declared that “the declaration was to serve as the basis for a new constitution, the conclusion of a Union Treaty for the USSR, and for ‘treaties with the RSFSR and other republics’”¹³⁵. When Shaimiev and the Tatar nomenklatura described Tatarstan as a constituent republic of the USSR and made no mention of RSFSR, they had unambiguously identified themselves with the Soviet government and its vague future. Shortly after the declaration Shaimiev resigned as CPSU first secretary and announced for the formation of an independent Tatar Communist Party, which freed Shaimiev from center party discipline.

The second half of the 1990s marked the intensive growth of the Tatar nationalist movement and witnessed the shift in the claims of Tatar nationalists from union republican status to full independence for Tatarstan. The center, on the other hand, decided to hold a referendum in the Union on 17 March 1991 that would ask whether or not to preserve the USSR “as a renewed federation of equal sovereign republics in which human rights and the freedom of people of all nationalities will be fully guaranteed”¹³⁶. Yeltsin, in order to put off Gorbachev from gaining his political momentum through the referendum, appended an additional question to the referendum about creating a Russian presidency. Nonetheless, Tatarstan announced that it would not include the question about the Russian presidency on the ballot manifesting that the RSFSR legislature had no authority on its territory. In line with Tatarstan’s declaration of sovereignty, which described the republic as a constituent

¹³⁴ Ibid., p. 265

¹³⁵ Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetric Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 10 of 39

¹³⁶ Ibid., p. 11 of 39

unit of the USSR but not the RSFSR, the majority of the Tatar voters (87.5 per cent) supported the preservation of the USSR at the end of the referendum. When the RSFSR government announced that the elections for Russian presidency would be held on June 12, 1991 the first wave of separatist mobilization started off in Tatarstan. *Ittifak* and *Azatlyk* organized a series of demonstrations, in which thousands of people participated, calling for a boycott of the elections and for the independence of Tatarstan.¹³⁷ As a response, Tatar Supreme Soviet publicized that the republic would hold its own elections for Tatarstan's presidency on June 12, 1991 although no one would be prevented from voting for the RSFSR's presidency elections in the republic. Only 36.6 per cent of eligible voters in Tatarstan took part in the RSFSR presidential election and only 45 per cent of these voters voted for Yeltsin. Nevertheless, across RSFSR Yeltsin picked up 57 per cent of the overall votes and became the President of RSFSR. Mintimer Shaimiev, on the other hand, received the majority of the eligible votes and won Tatarstan's presidential elections.¹³⁸

During the August 1991 coup Shaimiev gave his support to the putschists that launched the coup. In a radio address during the events he stated that the reasons for the coup were justified and that the RSFSR government had no legal status in Tatarstan. The anti-coup activists on the other hand, who were gathered in the Liberty Square of Kazan by the efforts of Fauzia Bairamova, were dispersed and a few of them were arrested.¹³⁹ When the attempted coup failed Shaimiev found

¹³⁷ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 266

¹³⁸ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, pp. 11-12 of 39

¹³⁹ *Ibid.*, p. 12

himself under cross fire. Yeltsin and the democrats in Moscow labeled Shaimiev as a communist conservative who must be get rid of and the Tatar nationalists, disgusted by Shaimiev's behavior, demanded his resignation immediately. The Chairman of Russia's Supreme Soviet, Ruslan Khasbulatov, further threatened to disband the Tatar parliament. President Shaimiev considering that Khasbulatov's threats might have validity summoned an extraordinary session of the republican parliament and asked the support of the nationalists. The Tatar nationalists, who recognized that Tatarstan's sovereignty was at stake, launched a street campaign and called for the creation of a national guard to defend republican sovereignty. In the following months as Khasbulatov's rhetoric toughened against Tatarstan, the Tatar nationalism further radicalized, which reached at its peak on October 15, 1991. Events came to a head on the anniversary of Kazan's seizure by Ivan the Terrible and the opening of a session of the Tatarstan's Supreme Soviet. The armed Tatar nationalist demonstrators gathered in Kazan's Liberty Square called for a declaration of full independence and attempted to storm the building of the republican legislature. The October incident turned out to be the only significant event of ethnic violence in Tatarstan as a result of the tides of nationalism that dominated the milieu in the republic in early 1990s. After the adoption of the resolution 'On the Act of State Independence of the Republic of Tatarstan' on October 24, 1991 Shaimiev administration made another step and proved to be skillful in outmaneuvering the nationalists after the October events by announcing that a referendum on Tatarstan's independence would be held in March 1992.

By December 1991 hopes to keep the USSR together had been mostly vanished. The establishment of the Commonwealth of Independent States (CIS), in

which “the signatory states would assume the USSR’s international treaty obligations, accept their current borders, respect each other’s territorial integrity; they would maintain open borders with full freedom of movement for their citizens and a common military-strategic space would be maintained under a joint command”¹⁴⁰, between RSFSR, Ukraine and Belarus; the participation of five Central Asian republics in the CIS; and the resignation of Gorbachev as Soviet president on 25 December 1991 brought the end of the Soviet Union. As there was no longer a Soviet government to do business with, the international community had nothing to do but recognize the independence of fifteen former union republics. As a result, the successor states had attained their independence through the dissolution of a national government, but not through secession from an internationally recognized state.

3.3. Tatarstan and the Federation Treaty

The initial conflict between Moscow and Kazan in the post-Soviet milieu came into existence when the Parliament of Tatarstan decided to hold a referendum on March 20, 1992 to determine once and for all the status of the republic. The question put to the voters was enough to alarm the center: “Do you agree that Tatarstan is a sovereign state and a subject of international law that is building relations with Russia and other republics and states on the basis of equal treaties?”¹⁴¹. The most provocative claim of the question was that by indicating the republic a subject of international law the Parliament of Tatarstan accepted the republic as an

¹⁴⁰ Edward W. Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, pp. 158-9

¹⁴¹ Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetric Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, pp. 14-15 of 39

independent state. In addition to the wording of the referendum question when Moscow realized that not only the Tatars but also the Russians and other non-Tatars in Tatarstan would respond positively, it tried to influence the result of the voting with all the might of its propaganda power.¹⁴² Russia's vice-president, Aleksandr Rutskoi, called on Yeltsin to declare a state of emergency and to blockade the republic; Vice-premier Sergei Shakhrai described the referendum as a coup d'etat; and the newly formed Constitutional Court of Russia ruled that both the referendum and the republic's declaration of state sovereignty in 1990 violated the Russian Constitution on the ground that both assumed that Tatarstan was not a part of the Russian Federation.¹⁴³ Despite Yeltsin's threat of a possible civil war and contrary to expectations the referendum went on without incident and as a result "82 per cent of the electorate took part with 61.4 per cent voting in favor and 37.2 per cent against"¹⁴⁴. The referendum results also clearly indicated that it was not only the Tatar population that was in favor of independence but also the Russians and other non-Tatar population. In urban areas, where Russians were in majority, 58.7 per cent voted 'yes' and in Kazan 50.3 per cent voted for independence and 30.5 per cent against.¹⁴⁵

After the collapse of the Soviet Union, Tatarstan modified its claim of independence from Russia. Having realized that the international community would not recognize its independence without prior approval of Russia, Shaimiev

¹⁴² Marie Bennigsen Broxup, "Tatarstan and the Tatars" in *The Nationalities Question in the Post-Soviet States*, ed. Graham Smith, New York: Longman Publishing, 1996, p. 83

¹⁴³ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 15 of 39

¹⁴⁴ Marie Bennigsen Broxup, "Tatarstan and the Tatars" in *The Nationalities Question in the Post-Soviet States*, ed. Graham Smith, New York: Longman Publishing, 1996, p. 84

¹⁴⁵ *Ibid.*, p. 84

administration began to call for associated membership in the Russian Federation on the basis of a bilateral treaty. Additionally, Shaimiev realized the symbiotic relationship between Tatarstan and Russia; for instance, Tatarstan's oil was worthless without Russia's pipelines and refineries, Tatarstan's truck and helicopter factories needed Russian customers.¹⁴⁶

Moscow, on the other hand, found itself in a battle over revenue distribution and the outlines of power after the collapse of the Soviet Union. The main battlefield in this process was the process of drafting a new Russian constitution. Nevertheless, the first founding document to be negotiated in the post-Soviet period was a treaty, not a constitution. All unilateral declarations of sovereignty in the Soviet period made by the ASSRs shared a common understanding that these declarations were to be a basis for negotiating the Union Treaty for a renewed USSR and the Federation Treaty with the RSFSR. When the Soviet Union became a thing of the past Yeltsin was expected to keep his promises on economic and political autonomy and the Federation Treaty seemed as the most logical step to provide this.

The Federation Treaty of March 31, 1992 created three types of federal subjects with different rights and powers; national-state formations (sovereign republics), administrative-territorial formations (krais, oblasts, and the cities of Moscow and St Petersburg), and national-territorial formations (the autonomous oblast and okrugs). The Federal Treaty officially acknowledged republican sovereignty, the right to self-determination and prohibited intrusion of the center into regional affairs. The republics were granted their own constitutions and the right to

¹⁴⁶ Anne E. Robertson, "Yeltsin, Shaimiev, and Dudaev. Negotiating Autonomy for Tatarstan and Chechnya", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. Daniel Kempton and Terry Clark, Westport: Praeger Publishers, 2002, p. 109

elect their own executive heads. Moreover, they were also free to engage in economic foreign relations and to sign bilateral treaties with foreign countries.¹⁴⁷ Tatarstan and Chechnya refused to sign the Federal Treaty and Moscow had to give special concessions to Bashkortostan, given the refusal of two key republics, when Bashkortostan threatened to walk out the negotiations. A special appendix was signed exclusively for the Republic of Bashkortostan granting independence legislative and judiciary systems, acknowledging independent statehood and special concessions with regard to its contribution to the federal budget.

The Federation Treaty of March 1992 was thought to determine the outlines of power distribution of the new federal system and the center-periphery relations through the areas of competence. Contrarily, the refusal of Tatarstan and Chechnya to be the signatories of the Treaty opened the way for bilateral power-sharing treaties between the center and the republics; and the special dispensations given to Bashkortostan raised the dissatisfaction among the regions, which demanded parity with the ethnic republics. For Chechnya the rejection of becoming a signatory of the Federal Treaty was a stage on the road to a total rejection of the Russian Federation. For Tatarstan, on the other hand, the rejection of the Treaty was a stage in a controlled power struggle between central and regional elites, which turned out to be known as the “Tatarstan Model”.¹⁴⁸

In the immediate aftermath of the signing of the Federal Treaty with the exceptions of Tatarstan and Chechnya, negotiations between Moscow and Kazan on

¹⁴⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 23

¹⁴⁸ Martin Nicholson, “Characterising center-periphery relations in the Yeltsin era”, in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd and Anne Aldis, New York: Routledge Curzon, 2003, pp. 7-8

a bilateral power-sharing treaty started off; however, agreement on a treaty would not come until February 1994. During the negotiations between Moscow and Kazan for two years Tatarstan's leaders successfully took advantage of the confusion in the federal system on many occasions. On May 1992, Kazan declared fiscal sovereignty claiming control over all local tax revenue and refusing automatic payments to Moscow.¹⁴⁹ Tatarstan adopted a new constitution on November 6, 1992, which largely preserved the principles of the 1990 sovereignty declaration. The state sovereignty was an inalienable attribute of the Republic of Tatarstan according to Article 1. The supremacy of the republic's laws and constitution on the territory of Tatarstan was defined in the Article 59 and Article 165. Furthermore, in Article 61 the Republic of Tatarstan was reaffirmed as a subject of international law that is associated with the Russian Federation on the basis of a treaty of mutually delegated authority. Tatarstan claimed title to the region's natural and cultural resources (Art. 9) and made Tatarstan a nuclear-free zone (Art. 58). The executive, legislative, and judicial bodies of Tatarstan were stated to be completely autonomous through Articles 12, 14, and 15.¹⁵⁰ In addition, Tatar citizenship was granted on a civic rather than ethnic basis and dual citizenship was allowed (Art. 19).¹⁵¹

¹⁴⁹ Anne E. Robertson, "Yeltsin, Shaimiev, and Dudaev. Negotiating Autonomy for Tatarstan and Chechnya", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. Daniel Kempton and Terry Clark, Westport: Praeger Publishers, 2002, p. 109

¹⁵⁰ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, pp. 19 of 39

¹⁵¹ Martin Nicholson, "Characterising center-periphery relations in the Yeltsin era", in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd and Anne Aldis, New York: Routledge Curzon, 2003, p. 112

3.4. Tatarstan and the Federal Constitution

The dissolution of the Soviet Union left the parliament and president with similar positions on major issues. In the first days of Russian independence the ambiguous division of authority between the two branches had no serious negative consequences. Nevertheless, during the economic reforms of January 1992, the parliament continuously opposed the reforms implemented by Prime Minister Yegor Gaidar. The disagreement between the parliament and the president concerning the economic reform quickly transformed into a constitutional debate about the structure of the Russian political system. The constitutional conflict between the parliament and the president further polarized the political context pushing Yeltsin to hold a referendum on four major questions.¹⁵²

In the meantime, Yeltsin and Shaimiev began to reach agreement on some matters such as economic cooperation; oil and petrochemicals; property and customs.¹⁵³ The issue of Tatarstan's legal status was the major source of conflict between Moscow and Kazan. At the time of the referendum, in order to pressurize Yeltsin to be more compromising towards Tatarstan, Shaimiev objected to hold the referendum in Tatarstan on the Russian constitution's framework until Tatarstan-Russia relations are clarified. In early March, Tatarstan's parliament, on the one hand, announced that the referendum would not be prevented in Tatarstan and on the other hand it urged Tatarstan's voters to boycott the referendum. On April 25, 1993

¹⁵² The questions were: "Do you trust Russian President Yeltsin? Do you approve of the socioeconomic policy conducted by the Russian president and by the Russian government since 1992? Should the new presidential election be conducted earlier than scheduled? Should the new parliamentary election be conducted earlier than scheduled?" See McFaul Michael, *Russia's Unfinished Revolution: Political Change from Gorbachev to Putin*, Ithaca and London: Cornell University Press, 2001, p. 189

¹⁵³ Anne E. Robertson, "Yeltsin, Shaimiev, and Dudaev. Negotiating Autonomy for Tatarstan and Chechnya", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. Daniel Kempton and Terry Clark, Westport: Praeger Publishers, 2002, p. 114

only 20 per cent of eligible voters turned out in the referendum clearly showing that not only the Tatars but also the Russians of the republic supported Kazan in its struggle with the center. Nevertheless, across the country the referendum results pointed to Yeltsin's victory on all four questions asked in the referendum.¹⁵⁴ Given the referendum results Yeltsin called for the convening of a special Constitutional Conference, which would be devoted to the task of approving a draft constitution. The conference was thought to be a "roundtable of political consensus" as if Russia was starting its transition to democracy all over again. Nonetheless, the draft constitution was merely a step back from the guarantees given by the Federation Treaty of 1992, to which Tatarstan even had not become a signatory republic. The draft constitution failed to describe the republics as sovereign states; did not acknowledge the republics' right to secession; and did not mention the voluntary incorporation of the republics in the federation.¹⁵⁵ During the conference Tatarstan took the lead in pushing for more autonomy for the ethnic republics, but, the draft finally approved on June 16 did not cover any of the demands of the ethnic republics. On June 24, Tatarstan withdrew its delegation from the conference.

When the Federation Council refused to endorse Yeltsin's constitution, he decided to act unilaterally and extra-constitutionally. On September 21, 1993, Yeltsin issued a presidential decree that dissolved the Congress of People's Deputies and called for popular ratification of the new constitution and elections to a new

¹⁵⁴ "58.7 per cent indicated that they supported the president; 53.1 per cent supported his social-economic policies; a slim majority voted against pre-term elections for the president; however, 67.2 per cent voted for pre-term elections for parliament." See Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia" http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 20 of 39

¹⁵⁵ Ibid.

bicameral parliament in December 1993.¹⁵⁶ The Congress, on the other hand, refused to comply with the presidential decree of Yeltsin declaring that Yeltsin no longer fit to govern and approved Rutskoi as the new Russian President on September 23, 1993. Moreover, in order to mobilize popular opposition against Yeltsin and his government, opposition leaders of the Congress refused to leave their parliamentary offices in the White House. The White House occupants also believed that most Russian citizens supported their constitutional defense and suggested that Rutskoi was just as popular as Yeltsin. When Rutskoi ordered to attack the mayor's office adjacent to the White House and the national television building, Yeltsin forces responded with an attack directly on the White House. On October 4, 1993 the war between the president and the parliament was over leaving hundreds of casualties behind.¹⁵⁷

On December 12, 1993 Yeltsin quickly subjected the new constitution to a referendum and the voters were also expected to cast ballots for the parliamentary elections on the same day. Nevertheless, the referendum was not welcomed by all regions of the Federation due to the setbacks even from the Federation Treaty of 1992. Although the 1993 Constitution gave the republics the attributes of statehood none of them were recognized as sovereign states. Tatarstan, together with several other republics, called the constituents of the republic to reject the constitution criticizing the Constitution for being 'a screen for a unitarian state'¹⁵⁸. Shaimiev publicly declared that "no genuine citizen of Tatarstan would participate in a

¹⁵⁶ Michael McFaul, *Russia's Unfinished Revolution: Political Change from Gorbachev to Putin*, Ithaca and London: Cornell University Press, 2001, pp. 194-5

¹⁵⁷ Ibid., pp. 198

¹⁵⁸ Marie Bennigsen Broxup, "Tatarstan and the Tatars" in *The Nationalities Question in the Post-Soviet States*, ed. Graham Smith, New York: Longman Publishing, 1996, p. 85

referendum that denied the sovereignty of his republic”¹⁵⁹, but, he did not directly boycott the referendum and election as Tatar nationalist organizations demanded. The Tatar nationalist organizations such as Tatar Social Center, *Ittifak*, *Suvernitet* and *Azattyk* were the first to formally boycott the elections on the grounds that participation in the elections would legitimize Yeltsin’s assault on the Russian Parliament; and holding the election and referendum would mean approval of the Constitution that violated Tatarstan’s declaration of sovereignty.¹⁶⁰ Neither Shaimiev nor republic’s other major political figures run for election to the new Russian parliament. As a result of the referendum Yeltsin coaxed the required 50 per cent of eligible voters that came to the polls in general, however, in Tatarstan only 13.8 percent of eligible voters contributed to the referendum.¹⁶¹ The parliamentary elections, on the other hand, could not determine any representatives for the Federation Council from Tatarstan when the required three candidates could not be found. The December 1993 parliamentary elections and the constitutional referendum were not only about consolidating democracy in Russia but also the future integrity of the Federation was the main concern of Moscow. Nevertheless, the election in Tatarstan invoked existing separatist tendencies among the Tatar nationalists and hence gave the Shaimiev administration a crucial bargaining chip vis-à-vis Moscow to challenge the center’s definition of federalism. Despite the

¹⁵⁹ Quoted in Pauline J. Luong, “Tatarstan: Elite Bargaining and Ethnic Separatism” in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 648

¹⁶⁰ Quoted in Pauline J. Luong, “Tatarstan: Elite Bargaining and Ethnic Separatism” in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 650

¹⁶¹ Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetric Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 22 of 39

oppositions of the regions, the 1993 Constitution came into force on December 24, 1993.

Though the 1993 Constitution solved the executive-legislative impasse in the center, the center-region relations entered into a crisis. Article 11 of the Constitution stated that center-periphery relations are to be determined ‘by the Federal Treaty and other treaties’, which left open the door for the federal government and federal subjects to engage in bilateral treaties. Article 11 of the Constitution, together with Article 78, increased the level of constitutional asymmetry by legitimizing the creation of bilateral treaties between the center and regions.¹⁶² Furthermore, most of the regions rejected the validation of the 1993 Constitution over their territories and announced that their own constitutions had the priority. The constitutions that were ratified between the signing of the Federal Treaty in March 1992 and the ratification of the 1993 Constitution mostly violated the Russian Constitution by granting the republics sovereignty and secession from the Russian Federation. In the immediate aftermath of the referendum and parliamentary elections Yeltsin concentrated on this federal crisis between the center and regions and started to press the regions to reach an agreement on the bilateral treaties. The October crisis clearly showed Shaimiev that Yeltsin would not hesitate to resort to arms against his opponents; therefore, he decided to make his best to institutionalize Tatarstan’s autonomous status through the bargains on the bilateral treaty. Moscow, even after Yeltsin’s victory in the constitutional fight, could not assume the political risk of aborting treaties that had become an important part of the promises made by the regional politicians to their constituents. Yeltsin, on the other hand, became aware of the fact that a lower than

¹⁶² Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 35

required voter turnout undermined his attempt to cement political ties with the republic while increasing Tatarstan's bargaining power. The invalidation of elections in Tatarstan as a result of the insufficient turnout invigorated the republic's demand to become an independent nation-state with popular approval. When Shaimiev stated that Tatarstan's full participation in the repeat elections scheduled for March 13, 1994 would be impossible unless a bilateral treaty was signed between Moscow and Kazan, Yeltsin had to agree to come to the bargaining table.¹⁶³

3.5. Tatarstan and the Power-Sharing Treaty

The Treaty 'On the Delimitation of Jurisdictional Authority and the Mutual Delegation of Powers between the State Bodies of the Russian Federation and the State Bodies of the Republic of Tatarstan' was signed by presidents Yeltsin and Shaimiev and by prime-ministers Chernomyrdin and Sabirov on February 15, 1994. Though the Treaty could be drafted as a result of the concessions given by both parties, the Treaty represented a setback for Tatarstan in general. The Treaty denied the principle of sovereignty and cancelled the *de facto* economic independence gained in bilateral agreements since 1991.¹⁶⁴ The republic's 'associated' status with the Russian Federation, as it was declared in the republic's constitution, was replaced by the formula of Tatarstan as a state 'united' with the Russian Federation resisting the Russian formula that Tatarstan was a 'constituent unit' of Russia. Hence, Tatarstan could not manage to insist on the supremacy of the republic's constitution over its territory, but, managed to set the wording that the treaty is guided by both the

¹⁶³ Pauline J. Luong, "Tatarstan: Elite Bargaining and Ethnic Separatism" in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p.657

¹⁶⁴ Marie Bennigsen Broxup, "Tatarstan and the Tatars" in *The Nationalities Question in the Post-Soviet States*, ed. Graham Smith, New York: Longman Publishing, 1996, p. 85

Russian Federation constitution and the constitution of Tatarstan.¹⁶⁵ According to the state powers attributed to the Republic of Tatarstan that are outlined in Article II of the Treaty Tatarstan has the right to form the republic budget, define and impose the republic taxes; to exploit the natural resources on its territory; to establish the state governmental bodies; to enter into political and economic relations with foreign countries and to conduct international treaties that shall not contradict with the Federal Constitution, the Constitution of the Republic of Tatarstan and the Bilateral Treaty; and to create its own Central Bank.¹⁶⁶ The issue of the authority to levy taxes had been a centerpiece in Tatarstan's search of sovereign statehood. By the Bilateral Treaty Tatarstan retained the right it had claimed for so long; to run its own fiscal affairs, which was not rectified until March 2001 when the Putin administration managed to open a branch office of the federal Ministry of Finance in Kazan.¹⁶⁷ A special side agreement was signed along with the February 1994 Treaty that outlined the budget and tax relations between Russia and Tatarstan. Tatarstan had the right to collect all taxes on its territory, but, then transfer "13 per cent of the profit tax, 1 per cent of the income tax, and 50 per cent of the VAT tax to the federal budget"¹⁶⁸. The joint jurisdiction areas of Moscow and Kazan are marked out in Article III of the Treaty, which include the protection of sovereignty and territorial integrity; coordinating the international economic relationship and pricing policy; the pursuit of monetary policy; creating funds for regional development; the management of

¹⁶⁵ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 23 of 39

¹⁶⁶ http://www.kcn.ru/tat_en/tatarstan/treaty.htm, pp.1-2

¹⁶⁷ Martin Nicholson, "Characterising center-periphery relations in the Yeltsin era" in *Russian Regions and Regionalism: Strength Through Weakness*, eds. Graeme P. Herd and Anne Aldis, New York: Routledge Curzon, 2003, p. 10

¹⁶⁸ Katherine E. Graney, "Ten Years of Sovereignty in Tatarstan: End of the Beginning or Beginning of the End?", *Problems of Post-Communism*, September/October 2001, p. 34

common power system as well as highway, railway, pipe, air, and tubing, water transport, communications and information system; implementing common policies on issues of health, education, science, culture and family protection; and the coordination of the activity of police enforcement agencies. Some other jurisdiction areas are subjected to separate intergovernmental agreements such as the mobilization of national economy; direction and production of armament and military equipment on the territory of the Republic of Tatarstan; and the issue of items of property that may transferred to common management.¹⁶⁹ Finally, Article IV of the Treaty delineates the areas within the jurisdiction of federal center, which includes the establishment of a system of executive, legislative, and judicial power; establishment of federal policy and federal programs in the field of state; and the establishment of the general principles of common market and federal price policy.¹⁷⁰

The February 1994 Treaty did not define the Republic of Tatarstan as a sovereign state, but, Tatarstan managed to retain important areas of sovereign statehood. Not only the authority to raise and disburse tax revenue on its territory, but also the right to control the republic's natural resources is another important pillar of Tatarstan's economic sovereignty. Moreover, by guaranteeing the right to develop political and economic relations, as well as the right to conduct intergovernmental and international treaties, with other regions and foreign countries Tatarstan had further stressed its sovereign statehood. Since the Treaty was not conducted among independent states, it did not require legislative ratification in either Moscow or Kazan and it came to force seven days after the signing

¹⁶⁹ http://www.kcn.ru/tat_en/tatarstan/treaty.htm pp. 2-3

¹⁷⁰ *Ibid.*, pp. 3-4

ceremony.¹⁷¹ Tatarstan's leaders saw the treaty as an institutional buffer between the Russian and Tatarstan constitutions and as a protective device against Russian hegemonic control. The Treaty took the Parliament of Tatarstan and the Tatar nationalists completely by surprise. Shaimiev was accused of handing over the national interests and sovereignty of Tatarstan to Moscow. The new budget of the education and cultural sector, which were central to the national movement, had been drastically cut. Although Tatarstan had the right to levy taxes on its territory the increase in the official contribution to the Federation had been increased to 25 per cent in total compared to the 13 per cent of 1993, which in turn was criticized for dropping the living standards of Tatars. Despite the criticisms, elections in Tatarstan for the federal legislature took place as scheduled on March 13, 1994 with a high turnout of 68 per cent contrasted with the nearly 14 per cent turnout in December.¹⁷²

Following Tatarstan, the first step to the parade of treaties that would deepen the asymmetrical federalism of the Federation, Moscow signed forty-six such treaties with other regions, which would define the boundaries of authorities between the federal center and federal subjects, over the period 1994 to 1998. These bilateral treaties often gave the signatories substantial concessions and privileges vis-à-vis Moscow generally legitimizing the extra-constitutional powers that the republics had unilaterally proclaimed in their republican constitutions, which in turn undermined the authority of the Federal Constitution as the primary basis for federal relations.¹⁷³ Moreover, the treaties and the powers extended varied depending on different

¹⁷¹ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 23 of 39

¹⁷² Ibid., p. 24 of 39

¹⁷³ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 41

weights of each region making some regions more equal than others. Tatarstan, Bashkortostan and Yakutia, for instance, were granted a single-channel taxation system, direct participation in foreign politics, and control over their natural resources while other regions got far less.¹⁷⁴

3.6. Tatarstan after the Bilateral Treaty: 1994-1999

The relations between Moscow and Kazan entered into a phase of compromise after signing the Bilateral Treaty of 1994. On the day of parliamentary elections, March 13, 1994, Shaimiev and Mukhametshin were elected for Tatarstan's seats in the Federation Council. Shaimiev agreed to sign the Yeltsin sponsored 'Civic Accord' of the Russian Federation, which had been an important part of modern law making and democratization. A 'Supervisory Committee for the Implementation of the Treaty', which would be headed by Tatarstan's Prime Minister Sabirov and Russia's First Deputy Prime Minister Oleg Soskovets, was established. The Constitution of Tatarstan, which was ratified before the Federal Constitution, covering several contradictory articles to the Federal Constitution became the major source of conflict between Moscow and Kazan as it was the case with the constitutions of other republics. Although the Russian Constitution did not recognize the sovereignty of the republics (Article 4), Article 61 of Tatarstan's Constitution declared the Republic of Tatarstan as a sovereign state subjected to international law. Moreover, thus the Article 4 of the Russian Constitution stated that the federal constitution and federal laws had supremacy throughout the territory of the

¹⁷⁴ Nikolai Petrov, 'Federalism' in *Between Dictatorship and Democracy: Russian Post-Communist Political Reform*, eds. M. McFaul, N.Petrov, and A.Ryabov, Washington D. C.: Carnegie Endowment for International Peace, 2004, p. 221

federation; Article 59 of the Constitution of Tatarstan proclaimed that the laws of the Republic of Tatarstan had the priority over all its territory.¹⁷⁵ The constitutional asymmetry that gave way to bilateral agreements and recognized the Republic of Tatarstan as associated to the Russian Federation according to the Constitution of the Russian Federation, the Constitution of the Republic of Tatarstan and the Bilateral Treaty instigated several discrepancies in practice. While Article 153 and 156 of the Constitution of the Republic of Tatarstan provide for the establishment of an autonomous procuracy and police, Article II of the Treaty states that “cadres of judicial and law enforcement organs” is a matter of joint jurisdiction.¹⁷⁶

Tatarstan’s political and economic ties with local governments in the Federation that Moscow had controversial relations, particularly Chechnya, became another source of disagreement between Moscow and Kazan. The Chechen Republic had been created in 1991 when the Chechen-Ingush Autonomous Republic was divided into two. As the Soviet Union dissolved in the autumn of 1991 the Chechen Republic, under the leadership of its new president Jokar Dudaev, declared full independence one day before the signing ceremony of the Federal Treaty. Together with Tatarstan Chechnya refused to sign the Federal Treaty; however, unlike Chechnya Tatarstan came to a compromise with Russia over the Bilateral Treaty of 1994 that set the borders of relations between Moscow and Kazan. In Chechnya, on the other hand, Dudaev had been opposed by those who accused him for being supportive of war lords and the Chechen mafia. The accusations exacerbated tensions

¹⁷⁵ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, pp. 36-37

¹⁷⁶ Edward W. Walker, “The Dog That Didn’t Bark: Tatarstan and Asymmetric Federalism in Russia”, http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 25 of 39

between opposing groups leading to the abandonment of the Chechen parliament by Dudaev in order to break out the opposition. At the end of November 1994 Yeltsin made use of the armed conflict between the rival Chechen groups and the failed coup attempt against Dudaev and invaded Chechnya, which brought the issue to open war. Yeltsin had different motivations while giving the decision to use force to suppress the rebellion in Chechnya. First, Yeltsin did not want to risk losing the control of several oil pipelines running through Chechnya. Second, Yeltsin's popularity as a leader was declining due to the harsh measures taken to reform the Russian economy. A strong show of force against separatism would have increased Yeltsin's popularity among the electorate and set an example to other republics pressing on for further sovereignty.¹⁷⁷ Kazan had relations with Grozny to a certain extent that displeased Moscow. The Tatarstan parliament invited and received a delegation of Chechen parliamentarians in October 1992 and attended the festivities for Chechnya's first anniversary of independence.¹⁷⁸ When Russia invaded Chechnya Shaimiev offered his services as a mediator in order to convince Dudaev to sign a bilateral agreement with Moscow. The Khasavyurt Agreement of August 1996 was followed by a bilateral treaty of May 1997 as a result of which the Russian military withdrew from Chechnya. A special status of 'association' between the Russian Federation and Chechnya was established, where the final decision about the status of Chechnya was postponed for up to five years. In practice, Chechnya was left in

¹⁷⁷ Kathryn Stoner-Weiss, "Federalism and Regionalism", in *Development in Russian Politics* 4, eds. S. White, A. Pravda, and Z. Gitelman, London: MacMillan Press, 1997, pp. 242-3

¹⁷⁸ Anne E. Robertson, "Yeltsin, Shaimiev, and Dudaev. Negotiating Autonomy for Tatarstan and Chechnya", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. D. Kempton and T. Clark, Westport: Praeger Publishers, 2002, p. 119

limbo, cut off from Russia without any significant external support.¹⁷⁹ Moreover, Tatarstan had signed an interstate Treaty of Friendship and Cooperation with Abkhazia, which run a secessionist war with Georgia, on August 17, 1994. While the Georgian Foreign Ministry had considered the treaty as recognition of Abkhazia's secession, the Russian Foreign Ministry described the act of Tatarstan as a violation of the Russian-Georgian Friendship Treaty.¹⁸⁰

The revival of Tatar culture as a means of sovereign statehood had been one of the most pressuring issues of the Tatar government since 1989. 'Plan for the development of Tatar education' of 1989 targeted the Tatar national rebirth, which called for the creation of a special state fund for the development of Tatar schools. In June 1992, the promotion of Tatar language started with the adoption of a language law. The Constitution of Tatarstan stated that Tatar and Russian languages should be equally official languages of the Republic (Article 4). In the summer of 1994 'State program for the preservation, study and development of the languages of the peoples of the Tatarstan Republic' was adopted by the Parliament of Tatarstan. The program favored a list of professions that would require knowledge of both languages, a 15 per cent salary bonus for workers in these professions who knew both languages, and the expansion of Tatar language education and media.¹⁸¹ The program had important outcomes in Tatar public life: participation in Tatar language classes for adults increased; beginning in September 1998 all consumer goods sold in the republic required to have labels in both Russian and Tatar; and the journals and newspapers in

¹⁷⁹ James Hughes, "Managing Secession Potential in the Russian Federation", *Regional & Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 58

¹⁸⁰ Edward W. Walker, "The Dog That Didn't Bark: Tatarstan and Asymmetric Federalism in Russia", http://www.kcn.ru/tat_en/politics/dfa/f_media/tatar.htm, p. 27 of 39

¹⁸¹ Dmitry Gorenburg, "Regional Separatism in Russia: Ethnic Mobilization or Power Grab?", *Europe-Asia Studies*, Vol. 51, No. 2, 1999, p. 261

Tatar language increased in number. Tatar language and history became required subjects for all Tatar and non-Tatar schoolchildren.¹⁸² Nonetheless, the education program that depended on government funding remained far behind satisfying the expectations of Tatar nationalists. New schools were built instead of converting the existing Russian schools to Tatar; however, the government lacked the necessary funds to build enough new schools. Despite the initial intentions of the program for the development of Tatar language Russian was still dominant in official writings, workplace and media. Moscow, on the other hand, ratified a law on ‘National Cultural Autonomy’ in 1996 that gave ethnic groups either lacking a defined territory or living outside the area in which they were nominally titular the right to establish schools or social support institutions. The law had marked a clear departure from Stalinist practices, which had tied national development to a specific territory and did not give the opportunity to express cultural identity to those that live outside their titular national group. The Tatar Diasporas in Russia, three-quarters of the total Tatar population, have been among the most active groups taking advantage of the opportunities offered by the 1996 act.¹⁸³

The Soviet Union built one of the world’s most autarkic economies, which its economic dependence on foreign trade was minimal and the Soviet production of a manufactured good was concentrated in a single gigantic factory. As a result the economies of Russia’s regions depended highly on trade with one another. When the Soviet Union disintegrated Russia’s industrial production has rapidly collapsed due to the import consumer goods started to enter into the Russian market. The decline in industrial production brought about the decline of inter-regional trade. Besides the

¹⁸² Ibid., p. 262

¹⁸³ Richard Sakwa, *Russian Politics and Society*, London and New York: Routledge, 2002, p. 273

industrial production Moscow heavily depended on the regional governments to collect the taxes that provide an important portion of its income.¹⁸⁴ The principles underlying inter-regional transfers have been the main subject of debate. There was a growing economic divergence between the regions that provided an economic basis to federal asymmetries. While some of the regions, such as Tatarstan and Bashkortostan, have access to world markets through the sale of energy, raw materials and finished industrial goods some of the regions were opt from these advantages. As Tatarstan had negotiated as much economic autonomy as Moscow would allow with the 1994 Bilateral Treaty, it passed on only 50 per cent of its VAT revenues to the federal budget while the other regions transferred 75 per cent.¹⁸⁵

The Constitution of the Republic of Tatarstan defined the basis for the economy of the republic as a socially oriented market economy that guarantees freedom of economic activity and private ownership. The principal idea of the economic strategy of Tatarstan was to provide economic growth through modernizing the industry and re-arming it with the newest technology. In order to finance the modernization of the industry Shaimiev administration depended upon the Republic's oil as well as the long-term credits secured by the republican companies.¹⁸⁶ Even though Tatarstan has been a model that most of the regions' seek to imitate, it also is disappointed with Moscow. Tatarstan is one of Russia's few *donor*¹⁸⁷ regions and Tatarstan government argues that there is a considerable

¹⁸⁴ Daniel Kempton, "Assessing Russian Federalism", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. D.Kempton and T. Clark, Westport: Praeger Publishers, 2002, p. 207

¹⁸⁵ Richard Sakwa, "Federalism, Sovereignty and Democracy", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 10

¹⁸⁶ Ravil Bukharaev, "*The Model of Tatarstan Under President Mintimer Shaimiev*", Richmond: Curzon Press, 1999, pp.

¹⁸⁷ The *donor* regions are equivalent to the non-subsidised regions where federal transfers account for less than 5 per cent of budget revenues. In 1999, there were thirteen donor regions in the Russian Federation: St Petersburg

imbalance between Tatarstan's contributions to federal budget in taxes and the subsidies it receives in return. Nevertheless, according to Cameron Ross the ethnic republics that have been the most confederalist in their demands and which have been pushing for more national sovereignty have received the most privileges from the federal center. The figures state that over the period 1992-95 Tatarstan, Bashkortostan and Sakha practically stopped transferring their shares from the taxes to the federal budget and over the period 1995-98 all three republics continued to be granted much higher tax credits than the average in the Federation.¹⁸⁸ By 1997, the regions' debt to the federal budget was in excess of 35 trillion rubles and Tatarstan had a considerable share in this debt.¹⁸⁹ The federal asymmetry in fiscal matters deepened when the large energy producers and primary materials exporters negotiated directly with subject-level leaderships and appeared to conduct their own foreign policies. The August 1998 financial crisis further created a political and economic space for regions and republics to act increasingly as autonomous economic subjects and less as a part of a single national market. As a response to the economic crisis of 1998 many of the regions stopped dispatching tax revenues to Moscow and tried to control the market by regulating prices and the movement of goods. Nonetheless, these measures remained to be temporary and primarily defensive as the interdependence of central and regional economies became

and Moscow cities; Moscow, Irkutsk, Lipetsk, Samara, Perm and Sverdlovsk oblasts; republics of Bashkortostan and Tatarstan; Khanty-Mansi and Yamal-Nenets autonomous oblasts; and Krasnoyarsk Krai. As donor regions there were also the *recipient* regions where the volume of taxes paid into the federal budget is less than the volume of financial assistance paid to the regions from the federal budget. See Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 83

¹⁸⁸ Ibid., p. 87

¹⁸⁹ Daniel Kempton, "Assessing Russian Federalism", in *Unity or Separation: Center-Periphery Relations in the Former Soviet Union*, eds. D. Kempton and T. Clark, Westport: Praeger Publishers, 2002, p. 210

apparent.¹⁹⁰ According to the economic and social development figures in Tatarstan given by Midkhat Farukshin¹⁹¹ the average per capita monetary income in the Republic of Tatarstan in 1998 was 77.3 per cent, placing Tatarstan in the thirty-second ranking among the units of the Russian Federation. In November 1999 the republic was ranked fortieth. In October 1999 the republican interdisciplinary committee announced that during 1998-99 wages in the republic grew only by 270 rubles per month, while in the neighboring regions the growth was 700 rubles per month. The figures indicate that the applied economic policies fell short to provide the peoples of Tatarstan with better living standards.

The issue of Russian citizenship had been a controversial issue between the center and regions. In the majority of the republican constitutions the issue of granting and terminating citizenship is put under the exclusive jurisdiction of the republics. Article 19 of the Constitution of the Republic of Tatarstan, for instance, stated that: ‘The reasons and procedures for acquiring and renouncing the citizenship of the Republic of Tatarstan shall be established by the law on citizenship of the Republic of Tatarstan. Citizens of the Republic of Tatarstan shall be admitted to have the citizenship of the Russian Federation’¹⁹². The article clearly contradicted the Article 6 of the Russian Constitution that put the issue of citizenship under federal jurisdiction. Despite the oppositions of regions, Tatarstan and Bashkortostan in particular, the Russian passports did not specify the holder’s nationality or use of the local language. Although the government order of July 8, 1997 ordered all Soviet

¹⁹⁰ Richard Sakwa, “Federalism, Sovereignty and Democracy”, in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 11

¹⁹¹ Midkhat Farukshin, “Tatarstan: Syndrome of Authoritarianism”, in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 201-2

¹⁹² Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 38

passports to be replaced by the new ones, instead the local identity documents had been issued. The distribution of the new passports, which again failed to identify the holder's ethnicity, aggravated protests in Kazan and other regions.¹⁹³

3.7. Tatarstan and Putin: 2000 - 2004

Elections for the State Duma, the lower house of the Russian parliament, took place on December 19, 1999. Long before the elections Yeltsin's health had begun to deteriorate giving way to a profound struggle for succession. Nevertheless, at the time of elections it was evident that Vladimir Putin was the chosen successor of Yeltsin. All of Yeltsin's family was actively engaged in the campaign for Putin by exerting pressure on the media, seeking the support of oligarchs and governors, and collecting compromising materials on possible rivals. The Kremlin put extreme pressure on Russia's governors to give up Luzhkov and Primakov, Putin's major opponents. As a result of the elections the Unity group, which was supported by Putin, received 23 per cent of the total votes and 83 seats in the Duma.¹⁹⁴ After Unity's victory in the parliamentary elections, Putin was very close to presidential power in Russia; however, with the society's unstable mood and the unpredictability of the Chechen war there could be no firm guarantee of Putin's victory in the presidential elections of June 2000 by the end of Yeltsin's term. When on December 31, 1999 Yeltsin astonishingly declared that he was retiring from his office in Kremlin, Putin automatically came in charge of the Kremlin and Russia until the presidential elections of June 2000. Immediately after the New Millennium celebrations Putin issued his first decree, which granted Yeltsin immunity from

¹⁹³ Richard Sakwa, *Russian Politics and Society*, New York: Routledge, 2002, p. 273

¹⁹⁴ Lila Shevtsova, *Putin's Russia*, Washington D.C.: Carnegie Endowment For International Peace, 2003, p. 47

prosecution for criminal or administrative wrongdoing of his presidential actions. According to the Constitution, the presidential election was supposed to be held in June; however, Yeltsin's retirement made it possible to reschedule the election for an earlier date of March 26, 2000.¹⁹⁵ In the presidential election, Putin got the support of all political groups in the Federation and became the new president of the Russian Federation officially.

By the end of Yeltsin's presidency the country was under the control of asymmetric federalism and segmented regionalism instead of an ordered federal separation of powers. When Putin came to power strengthening the central authority was at the heart of Putin's reform of federal-regional relations. Within this context he issued decree of May 13, 2000 that divided eighty-nine regions into seven larger administrative districts that overlapped with the military borders of the Federation. The new federal districts were to be headed by presidential representatives (*polpredy*) appointed by the president reinforcing the military/security tone to the measure because many of the representatives came from military and security background. The major aim of Putin was to restore the 'executive vertical', but, the reform mainly established a triangle between the federal districts, the center and the regions. The presidential representatives were to organize the work of federal agencies in the regions, monitor the implementation of federal policy, provide the federal authorities with information on what was going on in the regions, and to advice and make recommendations on federal appointments.¹⁹⁶ Tatarstan was a part of the Volga Federal District, together with Bashkortostan, which was headed by Sergei Kirienko. Kirienko was a well-known politician that served the prime minister

¹⁹⁵ Ibid., p. 69

¹⁹⁶ Richard Sakwa, *Putin: Russia's Choice*, London: Routledge, 2004, p.141

during the August 1998 economic crisis and also a Union of Right-Wing Forces political party leader.

Apart from the institutional reforms, Putin continuously demanded the regional leaderships to bring their legislations in line with the federal laws and constitution. In the immediate aftermath of his election as the new president of the Russian Federation he issued a decree calling the republics of Adygeya, Altai, Bashkortostan and Ingushetia; and the oblasts of Amur, Smolensk and Tver to make the necessary arrangements to bring their regional laws into accordance with the federal constitution and legislation. Furthermore, Putin's decrees were assisted by two important decisions of the Constitutional Court, which declared that the sovereignty declarations of the republics were incompatible with the sovereignty of the Russian Federation and the Federal Constitution.¹⁹⁷ In April 2001 the Minister of Justice claimed that 23 regions continued to adopt laws that violated the federal legislation. These regions included the republics of Tatarstan and Bashkortostan as well. The procurators in the Volga Federal District found 853 regional laws that violated federal norms, with the largest number of transgressions in the republics of Tatarstan and Bashkortostan.¹⁹⁸ Tatarstan immediately opposed the Constitutional Court's decision that the sovereignty declarations of the republics were violation of Russian Constitution on the grounds that Article 5 of the Russian Constitution allowed the republics to have their own constitutions and Article 11 granted them the 'full state authority' in their territories. The Bilateral Commission set up to examine

¹⁹⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 148

¹⁹⁸ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 159

the Republic's Constitution also agreed to uphold the Bilateral Treaty between Tatarstan and Moscow, and the Tatarstan's leadership publicly reminded that since Tatarstan's Constitution was adopted prior to Russia, any incompatibilities between the two documents could only be discussed through a bilateral process.¹⁹⁹ Shaimiev arguing that Tatarstan's legislation was more creative and progressive than that of Russia's, agreed to take part in a conciliation commission that would examine the ways to bring Russian and Tatarstani legislation in conformity if and only if Russia would first agree to make the necessary revisions in its laws. As Tatarstan stood firm in defending the republican constitution and the Bilateral Treaty, Sergei Kirienko – the head of Putin's new Volga Federal Okrug- had to agree to sign a statute asserting that the commission would operate on the basis of bilateralism. Nevertheless, the bilateral commission failed to reach a final agreement on several key questions leaving the solution to the one-on-one meeting between Tatarstan's President Shaimiev and Putin. After adopting 357 amendments, the legislature of Tatarstan approved the constitution at the end of February 2002. The revised constitution of Tatarstan incorporated the text of the Bilateral Treaty between Moscow and Kazan. The text thwarted the Kremlin's intentions; however, the assertions of international status for the republic, of an associative relationship with Russia, and of the superiority of Tatarstan's laws over Russian laws.²⁰⁰ Moreover, Kirienko appointed an ethnic Tatar, Marsel Galimardanov, as the presidential representative to Tatarstan

¹⁹⁹ Katherine Graney, "Ten Years of Sovereignty in Tatarstan: End of the Beginning or Beginning of the End?", *Problems of Post-Communism*, September-October 2001, p. 38

²⁰⁰ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 160

increasing the doubts that to what degree an ethnic Tatar could act independently of Shaimiev.²⁰¹

Whereas Tatarstan remained among the republics that did not give in defending its sovereignty claims, the negotiations between Moscow and Kazan did not end without compromises. From March 2000 Putin focused on the economic aspects of the treaties, forcing Tatarstan to relinquish back to the federal government of the fiscal privileges that had been allocated by the Bilateral Treaty. It was now time for Tatarstan to return the same proportions of tax revenue to the federal budget as other regions, though Putin left a symbolic proportion to Kazan in order to be spent on federal projects in Tatarstan. On January, 1 2001 Tatarstan President Mintimer Shaimiev confirmed that Tatarstan would hand over its substantial tax privileges that were granted under an unpublished protocol to the Bilateral Treaty and that would pay over the federal government 50 per cent of VAT plus all excises on oil, gasoline and vodka. This was an important concession on Tatarstan's part and other regional leaders seeing Tatarstan forced to let go one of its most appreciated privileges became more compromising against Putin.²⁰² Therefore, Tatarstan had been a model in its bargaining strategies with Moscow in order to secure the sovereign statehood of Tatarstan in all aspects of political and economic life. Putin and Shaimiev, on the other hand, seemed to establish a relationship based on support and concessions. The President of Tatarstan had made important contributions to Putin's victory in the presidential election, which in turn was paid back by Putin when he supported Shaimiev for a controversial third term. According to Shaimiev's

²⁰¹ Katherine Graney, "Ten Years of Sovereignty in Tatarstan: End of the Beginning or Beginning of the End?", *Problems of Post-Communism*, September-October 2001, p. 38

²⁰² Elizabeth Teague, "Putin Reforms the Federal System", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 213

answer to a question by an *Izvestia* reporter regarding why he had supported the strengthening of vertical line of power, Shaimiev claimed that Putin wanted to build the same power structure as in Tatarstan and establishment of a real market economy required strong leadership.²⁰³

To overall, the bargaining strategies developed by the Tatar political elite illustrate a successful manipulation of federal politics, particularly the asymmetrical federalism that dominated Yeltsin era. At the initial stage of federal bargain, Tatarstan's President Shaimiev manipulated nationalist sentiments of Tatar public as a tactic against the federal center. Moscow, fearing to create another Chechnya, had to compromise with Shaimiev on bilateral negotiations in order to define the boundaries of intergovernmental relations between Moscow and Kazan. Nonetheless, after the initial use of nationalist sentiment in the 'Parade of Sovereignties', Shaimiev managed to encircle the radical nationalist movements in the republic. The oil-rich characteristic of Tatarstan provided a privileged position in the federal bargain vis-à-vis the center and the other regions. The legacy of *Jadidism*, majority of the titular nationality that expresses nationalist sentiments dominantly, powerful executive in the republic, and rich natural resources enabled the Tatar political elite with several advantages in its federal bargain with the center. The following chapter will demonstrate the basic characteristic of Bashkort position in the federal bargaining process and the similarities and differences between the Tatar and Bashkort cases are compared in Chapter 5.

²⁰³ Mikhail Stoliarov, *Federalism and the Dictatorship of Power in Russia*, New York: Routledge, 2003, p. 152

CHAPTER 4

BASHKORTOSTAN AND ITS FEDERAL BARGAINING WITH MOSCOW

The USSR had been formally a federal state governed under a highly centralized polity. The administrative-political structures of the USSR, which formed the foundation for the new federal structures emerging in Russia, were based on two principles: the national (ethnic) principle and the territorial principle. The union republics and some of the units subordinate to them were defined on the basis of ethnic principle. Apart from the union republics, there were also the autonomous republics that were the constituent units of a union republic and where they were populated by a significant ethnic group (titular nationality). Nevertheless, in many cases the titular nationality formed a small portion of the actual population of the autonomous republic.

According to the 1989 Soviet census, ethnic Bashkorts accounted for 22 per cent of the population in Bashkort ASSR while Russians and Tatars had a share of 39 per cent and 28 per cent respectively placing the ethnic Bashkorts to the third rank after Russians and Tatars.²⁰⁴ The other regional units defined according to the ethnic principle were autonomous oblast and the autonomous okrug. Most of the autonomous republics, oblasts and okrugs were located within the borders of RSFSR, which formed the basis for the new federal units of the Russian Federation. The autonomous republics were constituent parts of the union republics within which they were located, but, as the union republics they also had their own constitutions

²⁰⁴ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism" in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 178

and were formally independent in certain jurisdictions vis-à-vis Moscow. Before and after the breakup of the Soviet Union in December 1991, the demands were increasing on behalf of greater autonomy granted to the regions. Following Russia's declaration of sovereignty, Tatarstan taking the lead, every other autonomous republics of the RSFSR declared their sovereignties and Bashkortostan, in particular, declared sovereignty in October 1990.

The aim of this chapter is to explain the historical and ethnic characteristics of the Bashkorts that helped them to differentiate themselves from their historical counterparts, the Tatars. The separate existence of Tatar and Bashkort ASSRs under the Soviet regime gave way to separate republics within the new Russian Federation following the dissolution of the Soviet Union. The distinct positions of Bashkort political elite in its federal bargain with Moscow will be analysed by reference to Russian-Bashkort relations in the Federation Treaty of 1992, the Federal Constitution of 1993, the Bilateral Treaty of 1994 and finally relations under Putin's federal reforms.

4.1. Historical Background

The region astride the southern part of the Ural range, bounded on the west by the Volga River, on the north by the Kama, on the south by the middle course of the Ural River, and on the east by the Tobol, was the land of the Bashkorts.²⁰⁵ Zeki Velidi Togan in his book *The History of Bashkorts* mentions that by the 7th century Bashkorts were accepted as a Turkish tribe of Kypchak and Qun with a Turkish tongue. Mahmud al-Kashgari had argued in his work of *Diwan-i Lugati't Turk* that

²⁰⁵ Alton Donnelly, *The Russian Conquest of Baskiria, 1552-1740: A Case Study in Imperialism*, New Haven and London: Yale University Press, 1968, p. 6

the Bashkort accent was a part of the Kypchak accent of Turkish. Plano Carpini, pope's envoy to Mongolia, had talked about the Bashkorts as 'Bascart' in 1243 and another envoy to the Urals, Rubruquis, had used the name 'Bascatur' in 1253. They were mostly nomadic cattlebreeders and hunters. They were also skilled in collecting honey from wild bees and in the mining of iron ore and copper. The Bashkorts of Ural went under the hegemony of the Mongols in 1207 by their own will. The Bashkorts of Danube, on the other hand, fought against Mongol invasion in Hungary and it is possible to say that these Bashkorts had been disappeared among Christian Hungarians.²⁰⁶

The Bashkorts inhabited the area southeast of Kazan during the reign of Golden Horde. When the Golden Horde lost control, the Bashkorts became subjects to three different powers in the 15th century: Nogai, Kazan and Siberian dorogas. The largely populated southwestern section of the Bashkorts was submitted to the Nogai Horde. The Khanate of Kazan assumed authority over the northwestern part and the Siberian Khanate over the Bashkorts on the Siberian side of the Ural Mountains.²⁰⁷ Ivan the Terrible conquered the states of the Volga in the mid-sixteenth century, after which the Bashkorts came under Russian rule. When a garrison was established at Ufa, which had been the capital of Bashkort ASSR and the present capital of the Republic of Bashkortostan, in 1574 by the Russian rule cities such as Samara and Orenburg started to develop alongside Ufa. The Bashkorts were to pay the tribute called *jasak* to the Russians besides many other taxes. The Bashkort lands were continuously expropriated and the population was impoverished under the Russian

²⁰⁶ Zeki Velidi Togan, *Başkırtların Tarihi*, Ankara: Türksoy, 2003, p. 9

²⁰⁷ Alton Donnely, *The Russian Conquest of Baskiria, 1552-1740: A Case Study in Imperialism*, New Haven and London: Yale University Press, 1968, p. 9

rule. During the first quarter of the eighteenth century the Bashkort lands had become the center of the most important mining and smelting industry in Russia. The great mineral resources of the Bashkort land attracted the Russian speculators, which in turn gave way to the exploitation of the land and Bashkort peasants that were forced to work in the mines and factories as slave labor. The Bashkorts, on the other hand, resented the invasion and seizure of their land and frequently attacked the mines and mills in their territory, threatening the development of this industry. Furthermore, there occurred several uprisings against Russian imperialism most of which resulted by the defeat of the Bashkorts. The Pugachev rebellion of 1773 also received strong support from the Bashkorts, who fought under their own leader Salavat Yulai.²⁰⁸

Islam was adopted by the Bashkorts as early as the tenth century. Nevertheless, under Russian rule they were subjected to forced conversion of Christianity, many of which retained their allegiance to Islam and in 1788 Catherine the Great permitted the establishment of the Orenburg Mohammedan Spiritual Assembly in Ufa. The Assembly was under the direction of a mufti and had jurisdiction over both religious matters and peripheral religious-civil matters such as the registration of births and deaths.

The eighteenth century was marked with the pacification of Bashkort lands either through violent means or exploiting the continuous civil war between the Bashkorts and non-Bashkorts. The nineteenth century could be referred as more 'peaceful' than the preceding centuries in Russian-Bashkort relations, though the

²⁰⁸ Shirin Akiner, *Islamic Peoples of the Soviet Union*, London: Kegan Paul Inc., 1986, pp. 77-8

position of the indigenous population had been further undermined by the influx of Russian settlers into the Bashkort lands after the Emancipation of Serfs in 1861.²⁰⁹

At the time of the 1905 Revolution the Bashkorts did not engage in any important nationalist movement; however, during the 1917 Revolution there was a strong Muslim dominated nationalist mobilization in the Bashkort land.

The Bashkort Republic was the first autonomous unit created by the Soviet Union. The national aspirations among the Bashkorts always had a way to prosper even under Russian rule due to two basic factors. In the first place, the Bashkorts made good soldiers and under the Tsarist regime they always had their own military forces which in return they received special rights in regards of land tenure. Secondly, at the beginning of the twentieth century a small educated Bashkort intelligentsia, which accepted the threat of Tatar assimilation as a serious threat, emerged with a dream of some future Bashkort autonomy within the Russian Empire.

Despite the fact that the line between Bashkort and Russian was clearly drawn, as E. H. Carr argued, the same was not true of the line between Bashkort and Tatar. The Bashkorts could distinguish themselves from the Russians either according to religion or language. Contrary to Orthodox Russians the Bashkorts and Tatars were both Muslims and the linguistic criterion was not decisive. As Carr stresses Bashkort language is treated by some of the authorities as a dialect of Tatar.²¹⁰ The nationalist affinities growing among the Volga Tatars either supported a single cultural and national entity among all Muslim Turkic people of the Russian Empire under Tatar leadership, or, some sort of political and social union between

²⁰⁹ Ibid., p. 78

²¹⁰ E. H. Carr, "Some Notes on Soviet Bashkiria", *Soviet Studies*, Vol. 8, No. 3, Jan. 1957, p. 219

Tatars and Bashkorts because of the close religious, linguistic, and cultural affinities between the two groups.²¹¹

Under these circumstances the Bolsheviks had in November 1917 two alternative courses in the eastern borderlands. They could attempt to create a composite national unit for all Muslim peoples of the Volga-Ural region; or they could attempt to create separate units for each national group.²¹² On the eve of the revolution the Bashkort movement towards separate autonomy became apparent. Tatars, on the other hand, supported a composite national unit in which they could play the dominant role. The advocates of these conflicting solutions met in Moscow in May 1917 at the All Russian Muslim Congress. The Bashkorts dispatched a popularly elected delegation, led by a 27 year old Bashkort intellectual named Zeki Validov (Zeki Velidi Togan) to speak for their interests. The Congress, however, was dominated by Volga Tatars who supported the establishment of an extra-territorial autonomy for all Russian Muslims in the Volga-Ural region.²¹³

When the October Revolution occurred in Petrograd, the Bashkort National Council (*Shura*) proclaimed itself as Bashkort national government and denounced the Bolsheviks. The Bashkort National Council did not only proclaim the autonomous Bashkort Republic but they also dispatched a telegram to Lenin urging him to recognize the sovereignty of Bashkortostan on the basis of the right to self-

²¹¹ Daniel E Schafer, "Local Politics and the Birth of the Republic of Bashkortostan, 1919-1920", in *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin*, eds. Ronald Grigor Suny and Terry Martin, Oxford: Oxford University Press, 2001, p. 167

²¹² E. H. Carr, "Some Notes on Soviet Bashkiria", *Soviet Studies*, Vol. 8, No. 3, Jan. 1957, p. 220

²¹³ Richard E Pipes, "The First Experiment in Soviet National Policy: The Bashkir Republic, 1917-1920", *Russian Review*, Vol. 9, No. 4, Oct. 1950, p. 306

determination which was recently proclaimed by the Bolsheviks. Lenin accepted the demand without hesitation.²¹⁴

The collusion of the Bashkort nationalists with the whites quickly ruled out the Bashkort solution in Moscow and the second alternative was rapidly put into practice; a Volga-Ural Republic which would consist of Tatars, Bashkorts, Chuvash, and other nationalities of the Volga-Ural territory. The oppositions set forth by several Soviets in the area demanded the creation of a separate Bashkort Soviet Republic with broad powers of self-rule. In view of this opposition a conference was held in Moscow in May 1918, but, it ended in favor of Tatars who supported a unified state for all Volga Muslims.

The Tatar-Bashkort Republic of 1918 could not survive long because the area between the Urals and Volga fell into the hands of anti-Bolshevik forces and for a year the civil war raged over the territory. The Bashkort forces, on the other hand, fighting on the side of the Whites started to think of switching sides as a result of the growing friction between Validov and the Whites over jurisdiction in the occupied Bashkort territories. In the fall of 1918 the Bashkorts started negotiations with the Reds and this time the Bashkorts had the position to put forth certain conditions due to the well-armed Bashkort military force which could play an important role in determining the outcome of the battle.²¹⁵ The negotiations brought Validov and his

²¹⁴ The Bolsheviks, however, despite Lenin's recent pledge of recognition, began to organize their own Red Bashkort Government. The defeat of Dutov in February 1918 by the Red Army left the Bashkort leaders defenseless in Orenburg, as a result, Validov and the other members of the National Council were arrested. But within a few days Validov escaped and rejoined Dutov's forces. The initial move of Validov was organizing an army behind White lines. Before long he succeeded in forming several regiments, which were thrown into battle on the side of Dutov and Kolchak under his command. See Richard E. Pipes, "The First Experiment in Soviet National Policy: The Bashkir Republic, 1917-1920", *Russian Review*, Vol. 9, No. 4, Oct. 1950, p. 305

²¹⁵ *Ibid.*, p. 310

army over to the Soviet cause in return for a promise to create an autonomous 'Little Bashkiria' independent of the Tatars.²¹⁶

Why did Lenin and Stalin agree to recognize a separate Bashkort autonomy although it contradicted the earlier commitment to a united Tatar-Bashkort Republic? The Soviet motivations in 1919 that made Lenin recognize a separate Bashkort autonomy can be explained by the following reasons. In the first place, the negotiation between the Bolsheviks and the Bashkorts brought six thousand soldiers to the Soviet side at a crucial moment in the civil war. Second, the negotiations with the Bashkorts began less than two months before the Eighth Communist Party Congress of March 18-23, 1919; where Lenin was to defend his nationality policy against the 'internationalist' wing led by Bukharin and Piatakov. The Bashkort case could present an efficient example of Lenin's nationality policy and its benefits. Another possibility, which is supported by some scholars in the West, Tatar émigrés, and Tatar national activists, is that Lenin and Stalin intended to break up the Tatar-Bashkort republic all along in order to solidify the cultural and linguistic distinctions between the Tatars and Bashkorts.²¹⁷

In 1919, a Bashkort Autonomous SSR was set up with its capital at Sterlitamak. When the civil war was over the Bolsheviks issued a new decree on the status of the Bashkort ASSR on May 19, 1920. "It reserved for the RSFSR the control of foreign affairs, of foreign trade and of the Cheka, and placed the Bashkir

²¹⁶ Zeki Velidi Togan (Validov) in his book of *The History of Bashkorts* specifically stresses the fact that the transfer of the Bashkort military forces onto the side of the Reds had been far from smooth. None of the members of Bashrevkom was communist or the communist party member, which in turn created a great deficiency in the relations of the Bashkorts and Reds. The Soviets, as Togan mentions, did not show any sign of trust towards the Bashkorts and at the mean time the Bashkort lands were changing hands between the Whites and Reds leaving the lands in destruction. (translation is mine)

²¹⁷ Daniel E Schafer, "Local Politics and the Birth of the Republic of Bashkortostan, 1919-1920" in *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin*, eds. Ronald Grigor Suny and Terry Martin, Oxford: Oxford University Press, 2001, pp. 169-170

military commissariat under the trans-Volga command of the Red Army.”²¹⁸ Only the departments of education, justice, health, agriculture, social security, and internal affairs were autonomous and responsible directly to the Bashkort government. The interesting point is that the decree could be seen as part of a larger effort to regularize the relations of the central authorities with the autonomous republics because the Republic of Tatarstan, created in mid-1920, received an identical status.²¹⁹ The new decree fell behind the expectations of the Bashkorts creating a bitter disappointment. In the middle of June 1920 the entire Bashkort official personnel abandoned its posts and vanished into the mountains.²²⁰ The desertion of the Bashrevkom and other Bashkort officials threw all Bashkort lands into a civil war, which resulted in the popular rebellion of the Bashkort masses against the Bolshevik policies.²²¹ The civil war ended in Bashkortostan in 1921. Most of the leaders of Bashrevkom were captured while the remainder either fell in the ranks of the Basmachis in Central Asia, or else, like Validov made their way abroad. Lenin and Stalin’s recognition of Bashkort autonomy and the critical March 1919 treaty laid out the divisions between center and republic in only the barest terms, leaving the field open for broad claims from both sides. The unpreparedness of the Soviets in the Bashkort case showed that the Soviet Nationality Policy was an act of improvisation at the time.

²¹⁸ Quoted in E. H. Carr, “Some Notes on Soviet Bashkiria”, *Soviet Studies*, Vol. 8, No. 3, Jan. 1957, p. 224

²¹⁹ Daniel E Schafer, “Local Politics and the Birth of the Republic of Bashkortostan, 1919-1920” in *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin*, eds. Ronald Grigor Suny and Terry Martin, Oxford: Oxford University Press, 2001, p. 181

²²⁰ Richard E. Pipes, “The First Experiment in Soviet National Policy: The Bashkir Republic, 1917-1920”, *Russian Review*, Vol. 9, No. 4, Oct. 1950, p. 317

²²¹ Meanwhile a new Bashrevkom was appointed immediately, which was strictly subordinate to the Obkom, and a first Bashkort Congress of Soviets assembled in the autumn of 1920 to elect a Sovnarkom. The new Bashrevkom and Sovnarkom said to have contained representatives of all groups of the population except the Bashkorts because the Bashkort delegates had been either arrested as ‘nationalists’ or had run away.

4.2. Perestroika and Bashkort Nationalist Mobilization in the Late Soviet Period

The Republic of Bashkortostan is located between the Volga River and the Ural Mountains, south-east of Tatarstan. The Bashkort people, who are the titular national group of the republic, formed only 22 per cent of the population according to 1989 Soviet census. Bashkorts are predominantly rural, with only 42 per cent living in cities. Contrary to the titular national group of the republic, the 83 per cent of Russians and 58 per cent of Tatars live in urban areas. Tatar and Bashkort cultures have long been intertwined. Almost 20 per cent of Bashkort population reported that Tatar was their native language²²² and the actual definition of who is a Bashkort and who is a Tatar remains contested.

The first nationalist movements of Bashkortostan appeared in the *glasnost* era, but, they were in fact Tatar movements. The Bashkort nationalist movements were established as a countermove to the formation of Tatar organizations in the territory of Bashkorts. The first nationalist movement organization was the Bashkort National Center, *Ural*, which was initially founded in 1989 as a Bashkort cultural organization. The movement's chief concentration was upon upgrading the ethno-federal status of Bashkortostan to that of a union republic as the Tatar nationalists demanded nine months earlier than the Bashkorts. The Bashkort National Center did not aim to transcend Moscow's authority over Bashkortostan, rather, aimed an administrative reordering in the republic. The Center's documents from this period mark the fact that the major concentration of the movement was focused on Tatar

²²² Henry E. Hale, "Bashkortostan: The Logic of Ethnic Machine Politics and Democratic Consolidation", in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, pp. 602-3

and Russian demographic dominance in Bashkortostan rather than focusing on independent statehood from Moscow. The ethnic divisions within Bashkortostan accelerated in the wake of the republican and local elections of March 1990. Yeltsin's visits to both Kazan and Ufa, where he delivered his famous statement of 'take as much sovereignty as you can swallow', was followed by parade of sovereignties leading to a radicalization of demands by Bashkort nationalists.²²³ Before the government of Bashkortostan declared sovereignty four different drafts of a declaration of state sovereignty circulated in the press; however, the more radical draft proposed by the Bashkort National Center was never seriously considered by the authorities. Finally, Bashkortostan declared state sovereignty on October 11, 1990 with a special reservation on the fact that secession from the Union was not on the agenda. During the negotiations on the Union Treaty Murtaza Rakhimov lobbied to obtain union republican status for Bashkortostan. Nevertheless, the Union Treaty discussions appeared to be far from the expectations of autonomous republics. The address of the Party First Secretary of the Bashkort ASSR was particularly enlightening about the demands of the Bashkorts, complaining that the draft Treaty 'maintained inviolate the hierarchical structure of the national-state system'. Moreover, he pointed out that with its population of almost four million, the Bashkort ASSR had far fewer representatives in the national parliament than union republics with smaller populations.²²⁴

The Bashkort nationalist movement further radicalized its demands in the immediate aftermath of the collapse of the USSR and a major wave of separatist

²²³ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 227

²²⁴ Edward W Walker, *Dissolution: Sovereignty and the Break-up of the Soviet Union*, New York: Rowman & Littlefield Publishers, 2003, p. 90

mobilization in Tatarstan. By December 1991, independence was openly proclaimed as the major goal of the Bashkort nationalist movement at the third congress of the Bashkort National Center. Furthermore, the movement also called for the creation of an alternative national legislature, a Bashkort National Congress, which would represent only the indigenous population. The Bashkort nationalists together with the local Tatar separatists organized a series of demonstrations against the signing of the Federation Treaty in 1992 by both Tatarstan and Bashkortostan. When Murtaza Rakhimov signed the Federal Treaty the Bashkort nationalists declared their intention to struggle for the liberation of Bashkortostan from the Russian Federation.²²⁵ In 1993, 30 per cent of the Bashkort population disapproved the general principle of republic sovereignty declarations in Russia, 20 per cent approved and 25 per cent remained indifferent. Some argued that if the Bashkorts could not themselves make up an anti-Moscow stance then they should join in the Tatar's Turkic Alliance to oppose the Russians and Russia. The 65 per cent of the Tatars living in the Republic of Bashkortostan claimed the republic to be their motherland; the vast majority of the Russians, on the other hand, declared their motherland to be Russia or even the former USSR. Nevertheless, these figures do not reflect the common ethnic aspirations of two brotherly Turkic peoples; rather, they are the indicators of Rakhimov's success in defining the idea of "Bashkortostan" in civic terms.²²⁶ The tide of mobilization that gave rise to separatist mobilization of nationalist movements in Bashkortostan could not master the strength to give a

²²⁵ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 228

²²⁶ Henry E. Hale, "Bashkortostan: The Logic of Ethnic Machine Politics and Democratic Consolidation", in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 604

direction to the republic's political life. As President Murtaza Rakhimov consolidated his power the Bashkort nationalist movement withered and slipped into inactivity arguing that the movement did not enjoy the support of the peoples whose interests they claimed to defend.²²⁷

4.3. The Federation Treaty and Bashkortostan

When the USSR was falling apart the autonomous entities began to claim self-determination not only in cultural terms but also in economic and political terms. The term 'autonomy' left its place to 'sovereignty', which did not connote independent statehood. In the case of Bashkortostan, the republican elite's demand for sovereignty implied non-interference in internal affairs and economic self-determination. The republic's economy is based on oil extraction and refining and heavy industry. The rich natural resources and a strong industrial base in Bashkortostan permitted a high degree of economic self-sufficiency that could be used to press sovereignty. Nonetheless, unlike the Tatars in Tatarstan the ethnic Bashkorts were in too weak position to publicly press claims for self-determination because of the demographic status as only the third largest ethnic group in the republic. Therefore, the Bashkort leaders chose not to politicize ethnicity rather emphasizing sovereignty on economic matters.²²⁸ Like Tatarstan, Bashkortostan was one of the first autonomous republics to call for dismantling the Soviet Union's centralized economic structure on the ground that the USSR exploited the natural resources of Bashkortostan. When Murtaza Rakhimov, the director of an Ufa

²²⁷ Mark R. Beissinger, *Nationalist Mobilization and the Collapse of the Soviet State*, Cambridge: Cambridge University Press, 2002, p. 229

²²⁸ Dmitry Gorenburg, "Regional Separatism in Russia: Ethnic Mobilization or Power Grab?", *Europe-Asia Studies*, Vol. 51, No. 2, 1999, pp. 247-252-253

petrochemical plant, came to power in 1990 he continued to claim that sovereignty would increase income and help the republic's poor.²²⁹

When Murtaza Rakhimov came to power, he presented the republic's strategy to achieve sovereignty through four main goals, which were the union-republic status; treaty-based relations with other republics; the development of a republican legislative system based on a new republic constitution; and to achieve the ownership of their territory and natural resources.²³⁰ Rakhimov's aim was not secession from the Soviet Union, but control over his territory; therefore, he pursued a strategy of economic independence from Moscow. Nonetheless, the Bashkort leaders quickly realized the possibilities political sovereignty offered and they joined the parade of sovereignties on October 11, 1990 with the republic's own declaration of sovereignty. The text referred to Bashkortostan as a member of both the USSR and the new Russian Federation, emphasizing that secession was not on the agenda. Instead, the local *nomenklatura* in Bashkortostan was concerned with the claim of the republic on its natural and economic resources as the exclusive property of the people of Bashkortostan.²³¹ The declaration actually combined three different components, each of which made it appeal to a different set of interest groups within the republic. The focus of the declaration on economic sovereignty met the interests of enterprise directors; the ethnic component of the declaration referred to the demands of Bashkort nationalists; and finally, references made by the declaration regarding human rights, rule of law, democracy and division of power appealed to

²²⁹ Ibid., p. 253

²³⁰ Ibid., p. 253

²³¹ Jörn Grävingholt, "Bashkortostan: A case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 180

the demands of urban activists of democratization.²³² The answer to the question why did the Republic of Bashkortostan did not have a strong incentive to pursue radical separatist claims might be the most important difference between Tatarstan and Bashkortostan, the two subject cases of this study. When the representatives of a given ethnic group that are in charge of the given republic represent a majority or near-majority of its voting population then the leadership will have the motivation of pursuing secessionist claims as it was in the case of Tatarstan. Nevertheless, Bashkortostan was deprived of this advantage. As the titular nationality in Bashkortostan made up only a small minority of the population, the leadership had chosen to follow up a delicate balancing strategy in order to gain a majority vote. As a result, Rakhimov pursued a strategy of republican sovereignty rather than national sovereignty defined on the basis of civic rather than ethnic terms.²³³ After the breakup of the Soviet Union, Bashkortostan's demands focused on sovereignty on economic matters. Economic demands made by the republican leadership included increasing oil export quotas and hard currency revenues, and establishing a one-channel budgetary system. Rakhimov, called for an increase in Bashkortostan's oil quota from 15 per cent to 30 per cent immediately after the dissolution of the Soviet Union.²³⁴

At the time of August coup in 1991 the Bashkort leadership acted very cautiously, neither they implemented the orders issued by the emergency committee of putschists nor they supported Yeltsin's outright resistance. When it was clear that

²³² Ibid., p. 188

²³³ Henry E. Hale, "Bashkortostan: The Logic of Ethnic Machine Politics and Democratic Consolidation", in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 601

²³⁴ Dmitry Gorenburg, "Regional Separatism in Russia: Ethnic Mobilization or Power Grab?", *Europe-Asia Studies*, Vol. 51, No. 2, 1999, p. 253

the coup had failed, the government of Bashkortostan was severely criticized for its non-alignment policy that turned out to be perceived as an implicit approval of the coup. The decision of the Russian Supreme Soviet to reintegrate the heads of the executive republics into a single system executive power in the RSFSR in October 1991 alarmed the Bashkort elites and leadership. As a result, the Bashkort leadership concluded to hold elections to the office of republican president, as the model of presidency in Tatarstan, in order to win legitimacy to the Bashkort leadership. Nevertheless, in 1991 Rakhimov realized that the plot was not secure enough for his victory in the presidential elections; therefore, he simply decided to cancel the elections.²³⁵ Meanwhile, the federal center drafted a Federation Treaty that would draw the borders of the relationship between the center and regions. The Federation Treaty was signed on March 13, 1992 by the head of the Supreme Soviet of the Russian Federation and the heads of eighteen of the twenty republics at the time. Tatarstan and Chechen-Ingush Republic refused to sign the treaty. Tatarstan forced Moscow to enter into a relationship based on bilateral agreements in order to set the ground for power sharing between Moscow and Kazan. Chechen-Ingush Republic, on the other hand, split up to two republics among which Chechnya chose a completely different path from other ethnic republics of the Russian Federation. The Federal Treaty recognized the republics as sovereign states with rights of national self-determination and with the implication of the right to secede from the Union. Moreover, the republics were also granted their own constitutions and powers to elect their own executive heads. They were awarded citizenship rights and ownership of their land and natural resources. The regions, on the other hand, were neither

²³⁵ Jörn Grävingholt, "Bashkortostan: A case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 180-1

granted with their own constitution nor with the ownership over their natural resources. Nevertheless, the twenty-one republics comprised only 28.6 per cent of the territory of the Russian Federation and only 15.2 per cent of its population. Although some of the republics were rich in natural resources such as Bashkortostan, Sakha and Komi, in general the republics were geographically peripheral areas. The major urban and industrial centers were located in oblasts or constitute cities of federal status rather than the republics.²³⁶ Therefore, the Federation Treaty created an asymmetric federation with the rights granted to the ethnic republics far outweighing those given to the territorially based regions and diminished the power of the federal center by creating three types of legal subjects (sovereign republics; administrative territorial formations –krais, oblasts, and the cities of Moscow and St Petersburg;- and national-territorial formations –the autonomous oblasts and okrugs), each possessing different rights and powers.²³⁷

The Republic of Bashkortostan did not refuse to sign the Federation Treaty; however, the rejection of Tatarstan and Chechen-Ingush Republic to sign the Federation Treaty provided Bashkortostan with the leverage to bargain on special concessions. Three days before the signing ceremony, Rakhimov's Supreme Soviet passed a resolution declaring that the Federation Treaty 'ignored the principles of the Declaration of State Sovereignty of the Republic of Bashkortostan' and demanded a bilateral treaty between the republic and the Federation. The result was an Appendix to the Federation Treaty exclusively for Bashkortostan. These special concessions

²³⁶ Joan Debardeleben, "The Development of Federalism in Russia", in *Beyond the Monolith: The Emergence of Regionalism in Post-Soviet Russia*, eds. P. J. Stavrakis, J. DeBardeleben, and L. Black, Washington D. C.: The Woodrow Wilson Center Press, 1997, p. 38

²³⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 23

included special dispensations with regard to their contributions to the federal budget and an additional right to create its own independent legal system.²³⁸ This document served as a basis for the Bashkort authorities of boycott of the federal tax system as a result of which Bashkortostan did not pay any taxes to the Russian Federation in 1992 but began to pay them again in 1994 when the two sides made progress in negotiating a bilateral treaty that would define the relationship between Moscow and Ufa. The two-class federal system created by the Federation Treaty came under severe criticisms from the regions, which demanded equality between the regions and republics. Nonetheless, despite the growing disturbance of the regions Yeltsin took a surprising step as neither compromising with the parliament nor the ethnic republics with the motivation of support given to his administration in the April 1993 referendum. In Bashkortostan 40.7 per cent of the eligible voters voted confidence in Yeltsin, whereas Yeltsin achieved 59.9 per cent of the eligible votes in the Russian Federation.²³⁹ In April 1993 referendum the Bashkort government further asked the voters of the republic whether ‘The Republic of Bashkortostan in the interests of her peoples should have economic independence and treaty-based relations with the Russian Federation on the basis of the Federation Treaty and the appendix to it from the Republic of Bashkortostan’ and the 76 per cent of the eligible votes in the republic agreed.²⁴⁰ The constitutional conference that took start in the summer of 1993 with the task of drafting a new federal constitution was a sign to the republics and regions of Yeltsin’s intentions. When Yeltsin disbanded the parliament on

²³⁸ Ibid., p. 24

²³⁹ Henry E. Hale, “Bashkortostan: The Logic of Ethnic Machine Politics and Democratic Consolidation”, in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 603

²⁴⁰ Ibid., p. 604

September 21, 1993 in order to give an end to the dual power crisis between the parliament and the presidency, and launched a military operation on October 4, 1993 against the rebellious parliamentarians who refused to comply with the orders of Yeltsin, he managed to consolidate his power and turned his face to the new federal constitution that would stress his presidential power. Although the ethnic republics of the Federation pushed for more autonomy to the republics during the conference Yeltsin called for full economic and political equality to be granted to all subjects of the federation and the abolition of all special rights and privileges for the ethnic subjects.²⁴¹

4.4. The Federal and Republican Constitutions of 1993

The political milieu in which the new Federal Constitution was adopted and the mechanisms of its adoption were highly controversial. It was controversial in the sense that the draft constitution that was put to vote in December 1993 erased the compromises that had been reached between the center and the units of the federation during 1992 and 1993. Moreover, Yeltsin, in addition to dissolving the parliament, ordered the dissolution of elected councils at the regional and republican levels. Thus, in the period preceding the December 1993 vote, local councils and some regional councils did not exist throughout many parts of Russia strengthening the executive branch in the regions. The elections for the new regional and local councils

²⁴¹ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 26

did not take place until 1994, which increased the tension between the federal center and federal subjects.²⁴²

The 1993 Federal Constitution came to force on December 12, 1993, which defined eighty-nine units of the federation as 21 republics, 49 oblasts, 2 cities of federal status, 6 krais, 1 autonomous oblast, and 10 autonomous okrugs. One of the most important characteristics of the new constitution was that it defined all eighty-nine units of the country to have an equal status within the federation. This represented a break from the past approaches, when the republics granted a higher status than other federal subjects of the country. Despite the formal equality among all federal subjects, the new constitution recognized some differences between the types of constituent units. The republics still had the right to adopt their own constitutions, which would not violate the federal legislature; and the right to establish their own state languages to be used alongside Russian. Contrarily, other members of the federation were only granted to adopt charters and statutes along with the federal constitution.²⁴³ Furthermore, the Federal Constitution created a Federation Council, upper house of the parliament, which guaranteed two seats to all eighty-nine subjects of the federation. The two seats were to be filled by representatives of the executive and legislative branches of each region. In most cases the regional governor and the heads of regional legislatures won a seat in the Federation Council- a procedure that was later changed by Putin's re-alignment of the Russian federal system. President Boris Yeltsin's draft constitution met with fierce debate in Bashkortostan. The proponents of republican sovereignty argued that

²⁴² Joan Debardeleben, "The Development of Federalism in Russia", in *Beyond the Monolith: The Emergence of Regionalism in Post-Soviet Russia*, eds. P. J. Stavrakis, J. DeBardeleben, and L. Black, Washington D. C.: The Woodrow Wilson Center Press, 1997, p. 40

²⁴³ *Ibid.*, pp. 40 and 44

the constitution was attempting to roll back republics' hard-won autonomy. The opponents of the Constitution focused their attack on the position the draft assigned to the republics. The new constitution omitted the word 'sovereign' when referring to the republics, which dropped the Federal Treaty from the text and subordinated the latter to the constitution. Furthermore, the opponents also attacked the draft for placing excessive political power over the presidency, which included the president's right to declare state of emergency, to appoint the key government officials, and to dissolve the parliament. At the elite level, local Tatar and Bashkort groups proposed to issue a joint resolution condemning the draft constitution and calling for the creation of a confederation between Bashkortostan and Tatarstan, something that the Bashkorts opposed earlier. The few proponents of the draft constitution in the republic, on the other hand, argued that the constitution provided the best hope for Russia to get rid of its economic and political crisis.²⁴⁴

The political environment created by the adoption of the new federal constitution highly threatened the leaders of the republics. Yeltsin not only dissolved the local and regional councils but also rumors were spreading that the president was going to appoint powerful representatives to those republics that were still governed by the presidium of a soviet, which was the case in Bashkortostan. Since Rakhimov came to power in 1990 he continuously declared that he did not like the institution of a presidency at all and that Bashkortostan did not need it. Nevertheless, when the federal system set by the new federal constitution posed a threat to the existing constellation of power in Bashkortostan, Rakhimov concluded that the institution of

²⁴⁴ Henry E. Hale, "Bashkortostan: The Logic of Ethnic Machine Politics and Democratic Consolidation", in *Growing Pains: Democracy and the Election of 1993*, eds. T. J. Colton and J. F. Hough, Washington D. C.: Brookings Institution Press, 1998, p. 624

a strong presidency best fit to protect the interests of the republican elite. As a result, on December 12, 1993 together with the Russian parliamentary elections and the referendum on the federal constitution the presidential election of the Republic of Bashkortostan was held.²⁴⁵ Murtaza Rakhimov won the presidency overwhelmingly with 69.2 per cent of the eligible votes in the first round, which showed that ethnicity had been a minor factor in the election under the circumstances that the ethnic Bashkorts constituted only the 22 per cent of the population in the republic. Following the presidential elections in the republic the new constitution of the Republic of Bashkortostan was adopted on December 24, 1993.

The major characteristic of the 1993 Constitution of the Republic of Bashkortostan was that it explicitly referred to the republican referendum to confirm the 'treaty character' of the republic's relations with Moscow. This reference was not to a bilateral treaty because it was not signed till August 1994, but to the 1992 Federation Treaty. Nonetheless, the Federal Treaty had been superseded by the Federal Constitution on December 12, 1993. The Russian Federation Constitution of 1993 was not even acknowledged in the republican preamble; however, an explicit reference was made to the document of republic's Declaration of Sovereignty and to the generally recognized principle of self-determination of peoples in the Russian Federation. A majority of Russia's republics adopted constitutions that violate the Russian Federal Constitution and the Republic of Bashkortostan was no exception. Although Article 4 of the Russian Constitution stated that the sovereignty of the Russian Federation extended to its whole territory, Article 1 of the Constitution of Bashkortostan defined the republic as sovereign and as possessing the highest power

²⁴⁵ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 182

on its territory. Moreover, Article 15 of Bashkortostan's Constitution violated the Article 4.2²⁴⁶ of the Federal Constitution declaring that the republican constitution had supremacy on the territory of Bashkortostan. The Constitution of Bashkortostan took a further step and had unilaterally taken jurisdiction over policy areas which according to the article 71 of the Federal Constitution come under the jurisdiction of the federal government. These policy areas included the right to adopt laws about military service; to establish procedures for declaring a state of emergency in its territory; to engage in foreign relations and foreign trade, and to sign international treaties.²⁴⁷ Despite the statement of the Federal Constitution that the ownership, use and disposal of land and minerals come under the joint jurisdiction of the federal authorities and federal subjects, Article 10 of Bashkortostan's Constitution stated that 'the earth, resources, natural wealth, and other resources on the territory of Bashkortostan are the property of its people. Questions about the ownership, use, and distribution of the land, resources, natural wealth and other resources are determined by Bashkortostan legislation'. The republican constitution even went further to declare that 'the air space and continental shelf of the territory is the inalienable property of the citizens of the Republic'.²⁴⁸

Though in terms of defining state sovereignty and federal relations with the center the Constitution of Bashkortostan violated several articles of the Federal Constitution, the new constitution for the Republic of Bashkortostan was in many

²⁴⁶ Article 4.2 states that, 'the constitution of the Russian Federation and federal laws are paramount throughout the territory of the federation' and article 15.1 declares that, 'the constitution of the Russian Federation has supreme legal force and is direct acting and applies throughout the territory of the Russian Federation. Laws and other legal enactments adopted in the Russian Federation must not contradict the Constitution'. See Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 36

²⁴⁷ *Ibid.*, p. 37

²⁴⁸ *Ibid.*, pp. 37-8

respects very similar to its Russian counterpart. Nevertheless, the power of the president had been squeezed compared to that of Russia's president. First, the Bashkort president needed parliamentary approval not only for the appointment of a prime minister but also for his/her dismissal. Second, under no circumstances the president of Bashkortostan was allowed to dismiss the parliament; however, he had the right to appoint and dismiss the heads of local government at will. The republican constitution designed the Bashkort legislature as a two chamber parliament; the Legislative Chamber and the Chamber of Representatives. The main difference of the State Assembly, the Bashkort legislature, from the Russian Federal Assembly was its right to issue a binding vote of no confidence in the government as a result of which the president had to dismiss the government. Besides local self-government the constitution also created 'local state government' at the city and region level, but it did not set the ground to explicate the difference between the two. As a result, the Constitution of the Republic of Bashkortostan provided for a very strong presidency, but also for a potentially strong and independent legislature.²⁴⁹

4.5. The Power-Sharing Treaty and Bashkortostan

The bargaining strategies developed by ethnic republics and regions of the Russian Federation vis-à-vis Moscow through bilateral negotiations and finally signing of bilateral treaties intensified asymmetrical federalism clearly violating the statement of the Federal Constitution that all units of the federation were at equal distance to the center. The Republic of Bashkortostan, in particular, enjoyed special privileges granted to the republic by the Bilateral Treaty of 1994 exclusively in fiscal

²⁴⁹ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 183-4

terms. The Republic of Bashkortostan was granted the explicit right to operate a “single-channel” tax system, whereby a single lump-sum payment would be sent to Moscow by republic leaders. The twenty ethnic republics of the federation established a *de facto* coalition in order to preserve their rights that were granted by the bilateral treaties signed between the federal and republican governments. The success of the Russian republics marked an interesting role for the ‘ethnic factor’ in the Russian Federation. In the Russian federal bargaining system the ethnic republics were initially accorded privileged status within the federation. The republics started to recognize any proposal to eliminate the distinction between republics and regions as a direct threat to their own interests. In the constitution drafting process the Moscow officials attempted to eliminate the emerging asymmetries in the federation by defining all federal subjects having equal status in the federation. Nevertheless, the proposal failed to extract the expected support from the regions opening the way for the republics to attack the proposal furiously. Tatarstan, showing the hardest stance, threatened to leave the federation if the proposal was not dropped. As a response to the criticisms concerning the inequality between the regions and republics despite the fact that the majority of Russia’s population lives in the regions, Rakhimov publicly claimed that the Federation was made up of the republics not the krais or oblasts.²⁵⁰

Despite federal equality of the eighty-nine units of the federation not only the republics achieved a greater scope of authority than did most of the regions and territories, but also the articles 11 and 78 of the Russian Constitution left open door

²⁵⁰ Steven Solnick, “Will Russia Survive?: Center and Periphery in the Russian Federation” in *Post-Soviet Political Order: Conflict and State-Building*, eds. Rubin, Barnett R. and Snyder, Jack, New York: Routledge, 1998, pp. 70-1

for the federal center and subjects to engage in bilateral agreements.²⁵¹ Over the period 1994-98 Moscow signed forty-six bilateral treaties with its federal subjects beginning with Tatarstan. The signing of such treaties continued the earlier approach of ad hoc federalism, which gave the appearance of granting the republics a privileged position within the federation resulting in asymmetrical federalism. The power-sharing treaty with Bashkortostan was signed on August, 3 1994 including a reference to the state sovereignty of that republic within the federation. Before drafting the bilateral treaty between Moscow and Ufa ten intergovernmental agreements were signed in May 1994 regarding the issues of economic cooperation, agro-industry, international relations, state property, fuel and energy, customs, military-industrial complex and others. The unsolved problems between Russia and Bashkortostan concerning the issues of state sovereignty, statehood or foreign relations “had been concealed behind a vague rhetoric that allowed both sides to interpret the agreement as a confirmation of their respective positions”.²⁵² By signing the bilateral treaty between Moscow and Ufa certain areas of jurisdiction were transferred from the exclusive authority of the federal center to joint jurisdiction, such as state defense (Art. 4.2); conversion of defense industries to domestic production, coordinating of military production complex (Art. 4.5); and the citing of military forces (Art. 4.5). Some of the constitutional powers exclusively reserved for the Russian Federation government were transferred to the sole jurisdiction of the Republic of Bashkortostan, such as national banks (Art. 3.15); republican citizenship (Art. 3.1 and 3.10); the right to appoint or approve nominations for regional

²⁵¹ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 40

²⁵² Jörn Grävingholt, “Bashkortostan: A Case of Regional Authoritarianism”, in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 189

representatives of federal agencies, police, procuracy, judges, treasury, tax and others (Art. 3.4).²⁵³

Though Moscow signed forty-six power-sharing treaties with the federal subjects of the federation, Moscow gave much more concessions to Bashkortostan than most of the other regions. Bashkortostan's ethnic composition and its export-oriented oil as well as the petrochemical industry of the republics prevented Moscow from taking a high-risk strategy against Bashkortostan. The Bashkort leadership, on the other hand, granted political stability and electoral support in exchange of the privileges given by Yeltsin administration. As a result, in order to strengthen his personal ties with the federal authorities, President Rakhimov started to support the pro-government bloc Our Home is Russia (NDR). Rakhimov was one of the initiators of the All Russia movement in 1998; however, he drew his support back from the All Russia (OVR) movement, together with the President of Tatarstan Mintimer Shaimiev, when it was obvious that Kremlin had been playing its card on Vladimir Putin in the March 2000 elections.²⁵⁴

4.6. Bashkortostan after the Bilateral Treaty: 1994-1999

Bashkortostan has entered into a phase of regime consolidation after signing the bilateral power-sharing treaty with Moscow. It is hard to say that the regime consolidation in Bashkortostan has given way to the development of democracy in the republic. The president-based constitution of the Republic of Bashkortostan provided Murtaza Rakhimov a privileged position in the political environment of the

²⁵³ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 44

²⁵⁴ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 189

republic. Furthermore, President Rakhimov has established his control systems by circumventing, ignoring and even replacing federal legislation. Although all sub-regional executives should be elected by popular vote, Rakhimov directly appointed executives or recommended candidates to local legislatures. These local officials then have an advantage in running for seats to their respective republican legislatures. In 1995 parliamentary elections, for instance, all such candidates had won their seats in the parliament of Bashkortostan. The parliamentary election of March 1995 further secured the position of the president. All heads of local administrations ran for the Chamber of Representatives and won their seats; and almost all members of the government had also been given promising compromises. As a result, the majority of the members of the Chamber of Representatives held offices directly dependent on the President. The Legislative Chamber, on the other hand, accounted for a higher proportion of independent candidates. In January 1996, Rakhimov issued a bill that introduced the system of joint voting for the two chambers in order to neutralize any potential opposition from the Legislative Chamber. The rules for becoming a candidate in the presidential elections of Bashkortostan were outlined in the constitution. "The right to become a candidate was limited to citizens of the republic between the age of thirty-five and sixty-five who had lived in the republic for not less than one year and who spoke the Bashkort and Russian languages."²⁵⁵ Nevertheless, the Bashkort requirement of bilingualism for presidential candidates neglected the languages of the Tatar, Chuvash, Marii, and other nationalities that comprise 36 per cent of the population.²⁵⁶ Ethnic

²⁵⁵ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 215

²⁵⁶ *Ibid.*, p. 196

Bashkorts are over-represented in political and administrative offices in ways not corresponding with education levels or expertise. Many members of the new Bashkort elite owe their professional careers to the president and their future prospects depend on him. During the presidential election of 1998 in the republic, the existing legislation managed to disqualify four serious political rivalries of Rakhimov from the electoral race. Even though Russian Supreme Court concluded that the exclusion of the candidates from the ballots was illegal, the Bashkort authorities responded that Russian courts had no jurisdiction over their republic. Over the years President Rakhimov replaced himself at the center of an ideology that blended elements of moderate Bashkort nationalism in relations with Moscow and a state-centered economic policy. Within this context President Rakhimov increased the government's share in the oil-processing sector from 51 per cent to 90 per cent in 1996. Today almost the whole oil sector is controlled by the government and run by people close to Rakhimov.²⁵⁷ While Russia has generally moved towards private economic activities, Bashkortostan established more or less direct state control over vital parts of the economy. The government controls almost the entire oil sector, which is run by people close to President Rakhimov. *Bashkreditbank*, the republican bank, dominates the banking sector through privileges granted by republican authorities. As the republic had never dissolved *kolkhozy* and *sovkhozy*, the agrarian sector depends largely on budgetary funds. Even with some agricultural weaknesses Rakhimov's control of major industries helped him maintain his political base

²⁵⁷ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, pp. 185-6

through revenue transfers to agricultural enterprises and the primarily Bashkort rural population.²⁵⁸

The debate over the violation of the Federal Constitution by the republican laws lasted through the presidency of Boris Yeltsin. The bilateral treaties created the conceptual and practical confusion in the development of Russian federalism. Federal and republican elites were divided among two camps as to whether the Russian Federation was a ‘constitutional-treaty’ or ‘treaty-constitutional’ entity. Contrary to Yeltsin’s intention to clarify the rules of center-region relations in the federation, the multiplicity of treaties and agreements further confused center-region relations. By the time all ethnic republics and regions had adopted their own constitutions and charters that were mostly in contradiction with the federal legislation. In late 1996, the RF Ministry of Justice announced that 19 of 21 republican constitutions violated the Federal Constitution. Following the parade of treaties, Moscow found itself in the so-called ‘War of Laws’ that thousands of republican laws contradicted the federal law.²⁵⁹ A unified legal space is one the major characteristics of federations, which had been the most problematic contradiction in the Russian federal system. Article 128 of the Constitution of Bashkortostan declared the supremacy of republican laws on all of the territory of Republic of Bashkortostan and accepted the obligatory character of laws of the Russian Federation only concerning the questions which had been transferred by the Republic of Bashkortostan by Treaty to the jurisdiction of the Russian Federation.²⁶⁰

²⁵⁸ James Alexander and Jörn Gravingholt, “Evaluating Democratic Progress Inside Russia: The Komi Republic and the Republic of Bashkortostan”, *Democratization*, Vol. 9, No. 4, Winter 2002, p. 94

²⁵⁹ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 173

²⁶⁰ *Ibid.*, p. 175

Apart from the attempts to create a unified legal space, one of the most significant issues of federations is the budgetary and tax relationship between the center and republics. The bilateral treaty process granted the republics with greater fiscal autonomy and resource control within their republics. While the treaties instituted the general principles of relations between the center and republics, specific issues were left to special agreements. The republics of Tatarstan, Bashkortostan and Sakha, which are among the resource-rich republics of the Russian Federation, managed to obtain special privileges in budgetary and tax matters. Moreover, these republics also achieved a National Bank as a prize of the parade of treaties. These National Banks of the republics were to function as filial of the Central Bank of Russia, which allowed the republics to control both local tax office and the bank through which revenues flow to the center.²⁶¹ These three republics practically stopped paying their tax revenues to the center and according to an examination of the draft budget of 2000 Bashkortostan, Tatarstan, and Sakha continued to enjoy these special privileges. Nonetheless, under the centralization of federal economy in Putin's era the balance between the federal budget and sub-national budgets has now moved in the favor of the center. From 2001 onwards, the republics started to transfer a far greater share of their taxes to the federal budget. In the first quarter of 2001, Bashkortostan increased its transfers to the federal budget 2.3 times and had a 5 billion rubles share in the total 9.9 billion rubles revenue collected from all levels of the federation.²⁶²

²⁶¹ Ibid., p. 186

²⁶² Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 88

The consolidated regime in Bashkortostan drew the republic closer to authoritarian rule rather than to democracy. The Republic of Bashkortostan is defined as a delegative democracy by Alexander and Gravingholt²⁶³, a regime form in which the executive is vertically accountable to the people at election time, but not horizontally accountable to other political institutions. Throughout 1990s, Rakhimov, similar to other regional leaders, showed that regional leaders with sufficient political and economic resources available in their regions have considerable potential to insulate themselves from federal policies.²⁶⁴

4.7. Bashkortostan and Putin: 2000-2004

The years since 1991 have seen an extensive growth in the autonomy of Russia's regions from the federal center. The republican presidents and regional governors, making use of the central weakness, gained increasing jurisdiction over their own affairs. Furthermore, many of Russia's regions far from developing democratic mechanisms of state rule have developed into near autocracies. The republican presidents had full control over local legislature with the right to appoint and dismiss the heads of local administration, and with the support of the presidential constitutions they had no equal and democratic elections of whatsoever. Even before the surprise New Year's Eve resignation of Yeltsin, when Yeltsin left the presidency to Putin, Putin showed his intention to reverse this process as a primary task. Putin as he was appointed as the Prime Minister of Yeltsin on August 9, 1999 became the

²⁶³ James Alexander and Jörn Gravingholt, "Evaluating Democratic Progress Inside Russia: The Komi Republic and the Republic of Bashkortostan", *Democratization*, Vol. 9, No. 4, Winter 2002, p. 9

²⁶⁴ *Ibid.*, p. 99

new president of Russia when Yeltsin resigned from his office on December 31, 1999.

The first year of Putin's presidency proved to be the most concerted and fundamental shake-up of federal relations in Russia since the 1993 Federal Constitution. In the immediate aftermath of the presidential elections in Russia that legitimized the presidency of Putin by popular vote, Putin issued a decree on May 13, 2000 in order to strengthen the 'power-vertical' as he called. The decree divided the federation into seven districts, the borders of which collided with the military borders of the federation, and appointed a presidential representative to each of the district. The institution of presidential representatives dated back to Yeltsin years; however, they were easily corrupted at the time by the regional authorities on whom they and their families depended for housing, education, and even for their own offices.²⁶⁵ According to the decree the presidential representatives were officially part of the Administration of the President (The Main Control Directorate) and charged with overseeing the President's constitutional authority in the districts. District capitals were chosen to deflect the leadership pretensions of the most powerful regions. The Republic of Bashkortostan was located in the Volga Federal District, together with the Republic of Tatarstan, but continuously demanded to be included in the Urals Federal District. Sergei Kirienko, a well-known politician who served as Russia's prime minister prior to the August 1998 economic crisis and also he was the political leader of a Union of Right-Wing Forces, was appointed as the presidential representative to the Volga Federal District. One of the initial projects of Kirienko was to bring the regional laws in his district in conformity with the federal

²⁶⁵ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 234

norms. The procurators of Kirienko found 853 laws that violated federal norms with the largest number of transgressions in the republics of Bashkortostan and Tatarstan. Putin hoped that the campaign to bring regional laws into line would create an atmosphere in which newly adopted laws would not violate federal norms. Nevertheless, this was not the case when Bashkortostan adopted its new constitution in November 2000. The new constitution of Bashkortostan exemplified the republican reaction to Putin's threatening reforms in the sense that the original work remained visible underneath the recent revisions of the older written document.²⁶⁶

The major characteristic of the Constitution of 2000 was that different from the earlier version the treaty character of relations was woven into every part of the new constitution as an underlying theme. The complete text of the Bilateral Treaty of 1994 was inserted into the fundamental law of Bashkortostan giving a formal legislative approval to the bilateral treaty of Bashkortostan. As a result the bilateral treaty was elevated to the level of constitutional law, a characteristic no other bilateral treaty enjoys. Moreover, besides the explicit reference made to the republic's Declaration of Sovereignty the generally recognized principle of self-determination of peoples in the Russian Federation was also added to the new preamble of the new constitution. Although certain revisions were made in the wording of the first section of the constitution, the republic did not give up the struggle between concessions to federal authority and assertions of its own autonomy. The specific wording of 'state sovereignty' was excluded from Article 1, but instead sovereignty was abridged in the assertion of jurisdictional competence and policy making. As the republic's authority to conduct its own foreign policy

²⁶⁶ Ibid., p. 234

(Art. 1) is excluded from the new constitution, the republic's adherence to international legal principles was added in a lengthy description. The deletion of Chapter VII from the new constitution, the articles that asserted the sovereignty of the Republic of Bashkortostan, was compensated by the addition of new articles such as Article 16 of the new constitution, which asserted the republic's interest in participation in the community of sovereign states.²⁶⁷ Furthermore, those articles that started with the phrase 'Citizens of the Republic of Bashkortostan have the right' was revised to imply that such rights were available to all people in the republic regardless of Bashkort citizenship. Bashkortostan, together with Tatarstan, had entered into a long-running battle with federal authorities over the issuance of multiple foreign passports. One month after the adoption of these provisions, Tatar President Shaimiev and Bashkort President Rakhimov met with the presidential representative of the Volga Federal District, Sergei Kirienko, in order to end a three-year suspension by the republics of the issuance of new federal passports. The compromise that Kirienko achieved stipulated that each passport would include two coats of arms (Russian and republican) and insert in the republic's national language. Nonetheless, the republics could not succeed in requiring the passports to identify the bearer's national identity.²⁶⁸

Putin's demand to bring the republican laws in conformity with the federal norms also covered to assert the supremacy of federal laws over the republican and regional laws. The new constitution of the Republic of Bashkortostan; however, did not resolve the major problem in federal-Bashkort relations. Article 128 of the 1993

²⁶⁷ Ibid., p. 273

²⁶⁸ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 164

Constitution claimed the priority of the laws of the republic on the entire territory of the republic. The hierarchy of laws in the republic was defined in the final clause of Article 117 of the new constitution as that the law of the Republic of Bashkortostan has effect concerning the areas under the jurisdiction of the republic or the areas under the joint jurisdiction of the Russian Federation and Republic of Bashkortostan.²⁶⁹ Although Kirienko tried to lobby during the process of bringing the Bashkort legislation in line with the federal norms, he had to declare after the adoption of the new constitution that the Bashkort constitution still to be in violation of federal law. In powerful regions like Tatarstan and Bashkortostan, Kirienko in fact has had only limited autonomy and has been forced to secure the agreement of the republican leaders for key federal appointments. Despite Moscow's political spin, Rakhimov continued to challenge Kirienko not only on the legal front but in other district policy areas as well. The Volga presidential representative has been unable to dissuade Bashkort-owned enterprises from withholding tax revenue owed to the federal treasury, which was clearly in violation of the Russian Federation.

Apart from the re-assertion of presidential power through the institution of presidential representatives of seven federal districts; and the stick-carrot policy to harmonize the regional laws and constitutions with federal law and the federal constitution Putin also successfully reshaped the Federation Council to strengthen his executive vertical powers. With the new decree the regional executives and parliament chairmen were ousted from their dual positions as members of the Federation Council, and removed their senatorial immunity from prosecution. From the point of view of Putin's attempts to strengthen federal authority of the center,

²⁶⁹ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 276

reform of the Federation Council was obviously important. The Yeltsin period Council posed great obstacle to strengthen federal executive power because any attempt to weaken regional autonomy or limit regional jurisdiction was opposed by senators whose personal power was under threat. In order to ease down the vigorous criticisms of republican and regional leaders Putin created a new forum, the State Council, in which all eighty-nine regional executives would have a seat and a smaller presidium comprised of the seven regional executives chosen by the President on a six-month rotating basis would function. The State Council remains as an advisory body as the Council does not have the right to issue laws.

In the late 1990s, Russian prime ministers and leading officials had tried without success to modify the bilateral power-sharing treaties with the most powerful republics, Tatarstan, Bashkortostan, and Sakha. The concessions given by the treaties distorted the federal fiscal flows restraining any federal policies of regional wealth redistribution or development. By 1998 only twenty-six of the eighty-nine regions and republics were net donors to the federal budget and the rest were the recipients, which were dependent on federal transfers.²⁷⁰ When Putin came to power, he exploited his new authority as president of the Russian Federation to renegotiate the treaties with the key republics. After his visit to Tatarstan in 2000, Putin visited Bashkortostan and agreed on similar losses of fiscal exceptions with President Rakhimov. Bashkortostan was the only federal subject that did not transfer income tax revenues to the federal budget in 1999. As a result of the treaty revisions, the

²⁷⁰ James Hughes, "Managing Secession Potential in the Russian Federation", *Regional & Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 59

center had gained greater control over tax collection in these resource-rich republics of the federation.²⁷¹

The creation of the federal districts and appointment of the presidential representatives as well as the regional procurators became an important issue in the agenda of regional elites. The governor's reactions to the federal government's new policy have differed greatly, depending on the level of effective and powerful control possessed by the governors over their territories. In powerful regions like Tatarstan and Bashkortostan, President Shaimiev and Rakhimov have criticized the federal reforms and continued to take initiatives independently of the districts authorities. The stronger regional leaders preferred to avoid the districts leadership and continue to deal directly with federal officials in Moscow as Rakhimov worked out a deal with Deputy Prime Minister Ilya Klebanov on creating an aviation holding company that would unite the engine factories in Yaroslavl, Rybinsk, and Ufa. Sergei Kirienko, the presidential representative to the Volga Federal Okrug in which Bashkortostan is placed, publicly denounced the attempt on the ground that this sort of integration should have worked out at the level of the district.²⁷² One important strategy facilitated by Murtaza Rakhimov in center-Ufa relations is blocking the center's ability to appoint a procurator to the republic. When the federal government tried to appoint a procurator in Bashkortostan in December 2003, the Bashkort President had steadfastly refused to accept any of the candidates General Procurator Vladimir Ustinov proposed. The conflict between the federal center and the republic is a challenge to the federal government's efforts to impose greater federal control over

²⁷¹ Ibid., p. 60

²⁷² Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 163

law enforcement agencies in the regions. The republican constitution of Bashkortostan allows the legislature to issue a veto on the procurator's appointment, which in turn resulted in the rejection of three candidates offered by Ustinov by the republican parliament. Rakhimov and the republican legislature announced that a candidate from outside the republic would not be accepted as a result of which Rakhimov would have the upper hand in making the appointment.²⁷³

As a result, it can be concluded that the dissolution of the Soviet Union gave way to vigorous demands of sovereignty in many republics and regions, but only those with significant economic assets had the leverage to bargain seriously with the federal government. Even though Bashkortostan is one of the resource-rich republics of the Russian Federation, it does not share the advantages of its neighbor, Tatarstan. This thesis hypothesizes that despite this relative disadvantageous position vis-à-vis Moscow, Bashkort political elite has successfully made use of the anxieties of the center at a time of disorder and achieved as much sovereignty as it is possible from federal government. The Bashkort reactions to Putin federal reforms and silent persistence to keep its attachment to the power-sharing treaty of 1994 as an identifier of its relations with the center shows that the Bashkort success in the federal bargain with Yeltsin was not an act of coincidence. In order to understand the relative position of Bashkortostan vis-à-vis Tatarstan a comparative approach will be adopted in the following chapter.

²⁷³ Russian Regional Report, Center for Security Studies at the Swiss Federal Institute of Technology, Zurich (<http://www.isn.ethz.ch>) and Transnational Crime and Corruption Center (TraCCC) at American University, Washington, DC (<http://www.American.edu/traccc>) , Vol. 9, No. 8, 11 May 2004

CHAPTER 5

TATARSTAN AND BASHKORTOSTAN COMPARED

A comparison of Tatarstan and Bashkortostan cases could explain the differences and similarities in their positions in Russia's federal structure. The two subject republics of this study, the Republic of Tatarstan and the Republic of Bashkortostan, are neighboring republics in the Volga Federal District of the Russian Federation. Tatarstan is located at the intersection of the main latitudinal pivot of Russia and the Volga River, the republic's borders intersect four navigable rivers and two main railways linking the central part of the country with the Urals and Siberia.²⁷⁴ Bashkortostan, on the other hand, is located between the Volga River and Ural Mountains that is the south-east of Tatarstan. The two neighboring republics constitute good examples for comparison because they have several common as well as differing characteristics that had given them different levels of opportunities in developing bargaining strategies vis-à-vis Moscow in the post-Soviet period, when relations between Moscow and the republics of Russia have justly attracted attention. Nevertheless, these relations are not simply bilateral as political elites in one republic are influenced by the behavior of their neighbors. In this respect, the model of Tatarstan developed under the leadership of Mintimer Shaimiev has been an exemplar for other republics of the Middle Volga region, especially for Bashkortostan. The demographic, historical, economic, and political features of the

²⁷⁴ Nail Midkhatovich Moukhariamov, "The Tatarstan Model: A Situational Dynamic", in *Beyond the Monolith: The Emergence of Regionalism in Post-Soviet Russia*, eds. P. J. Stavrakis, J. DeBardeleben, and L. Black, Washington D.C.: The Woodrow Wilson Center Press, 1997, p. 213

two republics that had been discussed in Chapter 3 and 4 will be compared throughout this chapter that will at the end enable us to understand the reasons of why Tatarstan has become a model for other ethnic republics of the Russian Federation in their relations with the center whereas Bashkortostan has had to carry on a more moderate bargaining strategy in the new federal context of Russia, but, which has enabled the republic with more or less the same advantages that Tatarstan has enjoyed since the dissolution of the Soviet Union.

5.1. Comparison of the Historical and Ethnic Contexts

Differences and similarities between Tatars and Bashkirs have their origins in their socio-historical origins. The term ‘Tatar’ is confusing since it has been used with different meanings at different periods of history. The etymology of *Tatar*, as argued by the proponents of the Mongol thesis, was derived from the Chinese *Ta-Tan* or *Da-Dan*; a term which has been applied to the Mongols by the Chinese and believed that it refers to one group of Mongol tribes subjugated by Ginghis Khan. After their conquest by Ginghis Khan, the Mongol Tatars, as well as the Turkic tribes of the southern Siberian plains and Central Asia, became a division of Batu Khan’s army. When Batu had conquered the lands beyond the Ural Mountains and the Aral and Caspian seas, the Mongols came in contact with the Turkic Kypchaks. The Mongols and the Mongol Tatars constituted a very small minority among the peoples of the Golden Horde and they underwent a process of assimilation by the Turkic peoples among whom they settled.²⁷⁵ In 1206, Ginghis Khan ordered that all conquered peoples be called as Tatars, where *Tatar* was identical with *conquered*.

²⁷⁵ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 4

Nonetheless, in time the Mongols themselves were assimilated by the peoples they had conquered that in turn brought the term Tatar identical with Mongol. According to the proponents of the Turkic thesis, on the other hand, during the period 1072 and 1074 there existed a Tatar branch of the Turkic languages in the west of the Irtysh River as it was mentioned in the *Diwan-i Lughat-it-Turk* of Mahmud al-Kashgari, which was perceived as a testimony to the existence of a Turkic people called Tatars long before the Mongol conquests. Rorlich argues that al-Kashgari had probably referred to the language of the Mongol Tatar tribe, which had adopted the Turkic language of a Turkic khanate of the sixth and seventh centuries.²⁷⁶

The Turkic (Kypchak) element was distributed over a wide area extending from the borders of modern Poland to the foothills of the Pamirs and from the Black Sea to Siberia. In time these groups acquired new ethnic designations, but, the word 'Tatar' continued to be used for the Turkic tribes of the Volga region. When the Golden Horde disintegrated into smaller units, new Tatar states emerged such as Astrakhan and Kazan Khanates. In the sixteenth century they went under the control of the Ivan the Terrible, Kazan in 1552 and Astrakhan in 1556.²⁷⁷

The Bashkorts, on the other hand, represent an intermingling of Finno-Ugric tribes of the South Urals and Turkic tribes such as the Kypchak, Kazaks, Volga Bulgars, Kara-Katais, Bala-Katais, and Kilairs. By the ninth to tenth centuries the Bashkorts were already settled in the area between the Volga, Kama, Tobol and Ural Rivers. In the thirteenth century, they were occupied by the Golden Horde and came under the control of the Kazan Khanate in the north and under the Siberian Horde in the north-east after the dissolution of the Golden Horde in the fifteenth century.

²⁷⁶ Ibid., p. 5

²⁷⁷ Shirin Akiner, *Islamic Peoples of the Soviet Union*, London: Kegan Paul Inc., 1986, p. 57

When Ivan the Terrible conquered the Tatar states of the Volga region in the mid-sixteenth century, the Bashkorts also came under Russian rule.²⁷⁸ Under the colonial rule of the Russians there occurred ethnic divisions between cultural groups of the Middle Volga region in order to make ruling easier as it was the case among the Tatars and Bashkorts. Until the middle of the nineteenth century, northwestern Ufa province attracted large numbers of Tatar-speaking migrants; however, during this period the Tatar ethnonym had not yet been universally adopted by Tatar-speaking Turks in the area. The Muslims of the Volga-Ural region still shared a common identity based on Islam and a myth of lineage from the Bulghar state.²⁷⁹

Under Russian rule the Turkic-Muslim communities of the Volga region mainly faced with continuous missionary activities against Islam, which was the basic identification point among the Muslims of the Russian Empire. From the Times of Trouble and the reign of the first Romanovs to that of Catherine II various measures were taken in order to eradicate Islam, including the destruction of mosques, property confiscation, and opening up special schools for the children of Muslim converts. These policies resulted in a massive exodus of the Tatars throughout the centuries towards Turkestan, the Kazakh steppes, and Siberia²⁸⁰ and frequent uprisings of Tatars and Bashkorts against the Russian imperialism. The nineteenth century marked with Tatar awareness that resulted in the first and most widely spread modern reformist movement of the Muslim world, Jadidism. The Jadid movement created a new Tatar intelligentsia that the members were seeking to break

²⁷⁸ Ibid., pp. 77-8

²⁷⁹ Dmitry Gorenburg, "Identity Change in Bashkortostan: Tatars into Bashkirs and Back", *Ethnic and Racial Studies*, Volume 22, No. 3, May 1999, p. 560

²⁸⁰ Marie Bennigsen Broxup, "Tatarstan and the Tatars" in *The Nationalities Question in the Post-Soviet States*, ed. Graham Smith, New York: Longman Publishing, 1996, p. 76

away from conservative traditionalism in order to allow Islam to survive in a modern world. By 1905, the Jadid movement became politicized demanding equal civic rights for the Muslims, freedom of religion, education and press under the leadership cadre of Abrurrashid Ibragimov, Yusuf Akchura and Sadri Maksudi. Before the Bolshevik Revolution the nationalist demands of the Jadids became more radical and revolutionary under Pan-Islamic and Pan-Turkic factions of the movement.²⁸¹

The Bashkorts, on the other hand, starting from the second half of the nineteenth century came face to face with the threat of the migration of the land-hungry Russian peasants into the Bashkort lands challenging the Bashkort distinctiveness. The fear from Tatar assimilation increased among the Bashkorts when the Pan-Turkic projects of the Volga Tatar nationalists concentrated upon a political and social union between Tatars and Bashkorts because of the close religious, linguistic, and cultural affinities between the two groups. As Tatars significantly outnumbered the Bashkorts, the threat of Tatar assimilation seemed as a serious threat to emerging Bashkort intellectual elite who were already concerned about Russian colonialism. In 1917, a small nationalist movement emerged under the leadership of Ahmed Zeki Validov (Zeki Velidi Togan), who advocated Bashkort particularism and campaigned against Tatar efforts to subsume the Bashkorts. The elected Bashkort government by the Bashkort Kurultai of 1917 claimed to establish territorial autonomy in the largely nomadic region of eastern Bashkortostan, and gradual elimination of Russian presence in Bashkortostan.²⁸²

²⁸¹ Ibid., pp. 77-8

²⁸² Daniel E. Schafer, "Local Politics and the Birth of the Republic of Bashkortostan, 1919-1920", in *A State of Nations: Empire and Nation-Making in the Age of Lenin and Stalin*, ed. Ronald Grigor Suny and Terry Martin, Oxford, Oxford University Press, 2001, pp. 166-7

At the time of 1917 Bolshevik Revolution the idea of the Tatar nationalists was to set up an independent federation of Ural-Volga states, whereas the Bashkort nationalists opposed the idea of a federation under the leadership of Tatars and engaged into attempts to create an autonomous Bashkort state. In order to achieve this end, the Bashkort nationalists initially supported the Whites during the Civil War, but, the Bashkort lands constantly changed hands between the Whites and the Soviets. When finally the Bashkort troops went over to the Soviet side in February 1919, the Bashkort ASSR was created on March 23, 1919, as a result of the ‘divide and rule policy’ of the Bolsheviks, ending the hopes for a Middle Volga state of the Tatars and Bashkorts. The idea of creation of a Tatar ASSR followed soon after the birth of the Bashkort ASSR. On 27 May 1920 the Tatar ASSR was created with the RSFSR.²⁸³ As Schafer points out scholars in the West, Tatar émigrés, and Tatar nationalist activists in the Russian Federation argued that creation of a separate Bashkort republic helped solidify the cultural and linguistic distinctions between the Tatars and Bashkorts over the following decades.

When the Bashkort ASSR had been established the people living in the Bashkort land were divided as *Kazanly* and *Mishars* referring to the Tatar-speaking migrants, and as the *Bashkorts* and *Teptiars* in the northwestern of the Ufa province. After 1917 ethnic identity changed again in Bashkortostan: two-thirds of Mishars and Teptiars identified themselves as Tatars, while one-third identified as Bashkorts. Moreover, during 1920s many Bashkorts re-identified as Tatars. The ones who re-identified as Tatar primarily consisted of individuals that had previously called themselves Mishar and Teptiar. Among Bashkorts, Tatar-speakers made up 46

²⁸³ Azade-Ayşe Rorlich, *The Volga Tatars: A Profile in National Resilience*, Stanford, California: Hoover Institution Press, 1986, p. 138

percent of the total population in 1928. The period between 1926 and 1939 the Tatar percentage of the population continued to increase at the expense of the Bashkorts.²⁸⁴ The main reason to this shift in ethnic identity was the creation of ethnic Tatar and Bashkort republics and the denunciation of Mishar and Teptiar as unacceptable ethnic labels by the Soviet nationalities policy. Starting from the 1920s, Soviet nationalities policy called for privileges for members of the titular ethnic group in ethnic republics. These privileges provided the individuals to identify themselves as a part of the titular ethnic group. For most of the ethnic group members it is impossible to change one's identity into titular ethnic identity due to the cultural and linguistic differences between the groups; however, for groups as closely related as Tatars and Bashkorts the shift was quite easy to accomplish.²⁸⁵ The language policies of Bashkortostan government may also help to explain why Bashkorts re-identified as Tatars. After the formation of a Bashkort republic in 1919, a Bashkort literary language replaced the Turco-Tatar literary language that was previously used by all Muslim Turks in the Russian empire in order to assist the consolidation of a Bashkort identity. The Bashkort literary language wanted to emphasize the uniqueness of Bashkort by distinguishing it from Tatar as much as possible. Nevertheless, as the literary language differed from the language people spoke, Bashkorts in the northwest selected the literary language they most closely resemble, Tatar. As a result many of the Bashkorts in this region chose Tatar ethnic identity, probably out of the sense that ethnic identity and language should be compatible. There were also ones who chose to adopt the Tatar language but not the Tatar ethnic identity, maybe

²⁸⁴ Dmitry Gorenburg, "Identity Change in Bashkortostan: Tatars into Bashkirs and Back", *Ethnic and Racial Studies*, Volume 22, No. 3, May 1999, p. 562

²⁸⁵ *Ibid.*, p. 564

with a concern to be belonging to the titular ethnic group. The result had been the emergence of a significant percent of the local population to identify themselves as Tatar-speaking Bashkorts.²⁸⁶

Throughout the Soviet times, there was a consistent effort of to prevent Tatar-speaking Bashkorts from re-identifying themselves as Tatars. The Soviet Nationality Policy also allied with these efforts by creating advantages of being a member of the titular ethnic group. Nonetheless, during Gorbachev reforms, most of the ethnically-based privileges were eliminated so that many of the Tatars who had changed their identity to Bashkort for very instrumental reasons switched back to their previous Tatar identity. The ‘one nation-one language’ policy during the Soviet times tried to remove the Tatar language from the republic’s list of official languages in the 1978 Constitution of the Bashkort ASSR.²⁸⁷ The debate on the official languages of the republic is still hotly discussed in Bashkortostan and forms the most important contradiction point in relations of Tatarstan and Bashkortostan. The Tatar population living in Bashkortostan continuously demands the recognition of Tatar as the third official language of the Republic of Bashkortostan, together with Bashkort language and Russian, but, in return the demand is continuously disregarded by the Bashkort authorities.

5.2. Comparison of Tatar and Bashkort Nationalisms

Tatar and Bashkort nationalisms have shown unique characteristics in the post-Soviet era. The glasnost years of mid-1980s brought the issues of democratization and republican rights into the agenda of nationalists in the regions

²⁸⁶ Ibid., p. 566

²⁸⁷ Ibid., p. 572

and republics. Tatars, different from the Bashkorts, had a legacy of *Jadid* movement, which made them more mobilizational and active in fulfilling their nationalist aspirations. The initial Tatar nationalist organization was established in February 1988, which was an initiative group of twelve intellectuals that was elected at a meeting at Kazan University to work for acquiring of Union republic status, for encouraging the use of the Tatar language, and the spiritual rebirth of the Tatar people.²⁸⁸ The Bashkort Nationalist Center, *Ural*, was founded in 1989 with similar motivations of the Tatar Public Center activists in Tatarstan mainly with the demand to raise the status of the republic to those of the union republics. Despite the common aim of these two nationalist organizations to acquire the union republic status for Tatarstan and Bashkortostan, the Bashkort Nationalist Center did not raise the claim for separate statehood from the RSFSR. Contrarily the Bashkort Nationalist Center concentrated on the demographic dominance of the Tatars and Russians over the territory of Bashkortostan. At the time, the emphasis on the union republican status of the Bashkort nationalists mainly overlapped with the aspirations of Tatar ruling elite. During 1989 and early 1990 the differences between the Tatar ruling elite and the reformers became more acute, while the Tatar nationalists started to raise their claims for independent statehood. In 1990 the radical wing of the Tatar Public Center (TOTs) established the *Ittifak* National Party and the side of the radical Tatar nationalists further strengthened by the foundation of Union of Tatar Youth (*Azatlyk*) at the end of 1990. When Yeltsin came to Kazan and made his famous statement, ‘Take as much sovereignty as you can swallow’, Shaimiev responded the call by announcing himself in favor of sovereignty but within the RSFSR. Shaimiev’s

²⁸⁸ Mary McAuley, *Russia's Politics of Uncertainty*, Cambridge: Cambridge University Press, 1997, pp. 54-5

affiliation to remain within the RSFSR instigated demonstrations of Tatar nationalists demanding Shaimiev to adopt a new declaration of sovereignty independent of the RSFSR. Under the pressures of Tatar nationalist organizations Shaimiev adopted a new declaration to the Supreme Soviet that made no mention of the RSFSR.²⁸⁹ In Bashkortostan, on the other hand, Yeltsin's call to the autonomous republics was not immediately responded until October 1990. Despite the more radical draft on the declaration of sovereignty introduced by the Bashkort National Center, Rakhimov adopted a more moderate one that made a reservation on the fact that secession from the RSFSR was not on the agenda of the Republic of Bashkortostan. The Bashkort nationalist movement lacked the necessary public support due to the demographic characteristic of the republic, in which the Bashkort population was placed to the third rank after the Tatars and Russians constituting the 22 per cent of the total republican population according to the 1989 Soviet census. Therefore, the Bashkort leadership chose not to politicize the ethnic motivations in the republic, instead concentrated on economic sovereignty of the republic. As ethnic Bashkorts held the most important government institutions in firm control, they were able to implement a comprehensive program of ethnic revival. This program was similar to that conducted in Tatarstan, with emphasis on expanding Bashkort language use and education, increasing employment opportunities for Bashkorts, and making Bashkort culture more discernible in the public sphere. Nevertheless, due to the need to comfort the non-Bashkort majority in the republic few references to ethnic revival were made in the republic's basic laws. A broad ethnic revival program was initiated in Bashkortostan after the election of Murtaza Rakhimov as

²⁸⁹ Ibid., pp. 57

the president of the republic. Although the republic's sovereignty declaration guaranteed equal rights to all ethnic groups and marked that the multi-ethnic people of Bashkortostan were sovereign, it focused on 'realizing the inalienable right of the Bashkort nation to self-determination'.²⁹⁰ The Tatarstan Declaration of Sovereignty, on the other hand, stated that sovereignty was being declared in order to 'realize the inalienable right of the Tatar nation, and all of the people of the republic to self-determination'. Although all of the people of the republic are mentioned in this statement, the priority is given to Tatars.²⁹¹ The revival of Tatar culture also included the promotion of Tatar language use in the public sphere, the expansion of Tatar education and direct propaganda of Tatar culture. The promotion of Tatar language began with the adoption of a language law in July 1992, whereas in the same year Bashkortostan also adopted a language law that initiated a discussion over the official language of the republic among the Bashkorts, Tatars and Russians. The Bashkort language was declared as the official language of the republic in 1992; however, in later versions of the language law Russian was given the equal status with the Bashkort language raising the Tatar demands to declare the Tatar language as the third official language of the republic.²⁹²

Under the Soviet regime the autonomy and authority of autonomous republics were inferior to those of the union republics. If union republics were able to create more or less respectable titular nations under Soviet rule, a number of titular nations of autonomous republics faced the danger of complete assimilation to Soviet culture.

²⁹⁰ Dmitry Gorenburg, "Regional Separatism in Russia: Ethnic Mobilization or Power Grab?", *Europe-Asia Studies*, Vol. 51, No. 2, 1999, p. 263

²⁹¹ *Ibid.*, p. 260

²⁹² *Ibid.*, p. 264

Nonetheless, the ‘divide and rule’ policy of Gorbachev by using autonomous republics as a counterweight against ‘separatist’ union republics proved to be very effective. During the elections to the republican Supreme Soviets held in March 1990, Gorbachev’s policy of combining in one individual the posts of *obkom* first secretary and Supreme Soviet chairman determined the future presidents of the republics of Tatarstan and Bashkortostan, who would carry the republics to the post-Soviet period. Mintimer Shaimiev and Murtaza Rakhimov won the elections and became the First Secretary of Supreme Soviet in Tatarstan and Bashkortostan, respectively. Shaimiev’s presidency to the new Republic of Tatarstan became official with the popular elections in 1991, through which Shaimiev ran unopposed for presidency.²⁹³ Contrarily, Rakhimov cancelled the elections for presidency in December 1991 declaring that he found the institution of presidency unnecessary for the republic. After the October 1993 coup, the Bashkort leadership became aware of the fact that a legitimate presidency in the republic would strengthen the hand of Bashkortostan vis-à-vis Moscow during the bilateral negotiations between the center and republics. As a result, Rakhimov’s primacy was made official by his election to the republic presidency in 1993.

The introduction of a presidency in Tatarstan as early as June 1991 was not due to the malfunction of the parliamentary system, but due to its rivalry with Russia for statehood that forced Shaimiev to become the president of Tatarstan no later than Yeltsin. In contrast to the pure presidential systems in Russia’s regions, Tatarstan chose a semi-presidential system. In Bashkortostan, the collapse of the *obkom*

²⁹³ Kimitaka Matsuzato, “Authoritarian Transformations of the Mid-Volga National Republics: An Attempt at Macro-Regionology”, *Journal of Communist Studies and Transition Politics*, Vol. 20, No. 2, June 2004, p.105

authority caused a rivalry between the Supreme Soviet, chaired by Murtaza Rakhimov, and the government, headed by Tatar-speaking Mirgazyamov, in 1990-91. Mirgazyamov was the republican prime minister since 1986 and the position of Rakhimov, who was a newcomer to the republican politics, was inferior to that of the prime minister. As a result, Rakhimov chose not to hold presidential elections until he consolidated his presidential power. Instead, the supremacy of the Supreme Soviet and the primacy of its chairman were guaranteed through constitutional amendments in June 1991.²⁹⁴ The emergence of parliamentary republics in Tatarstan and Bashkortostan in the Middle Volga region can be explained by their elite conformism and pretensions to statehood. The strong parliaments in these republics guaranteed the appearance of the solidarity of the regional elite communities in their struggle with Moscow.²⁹⁵ The failure of the August 1991 coup and increasing nationalist mobilizations in the union republics with the claims of independent statehood resulted in the first wave of the introduction of presidencies in Russia's autonomous republics. Nonetheless, as mentioned above Bashkortostan with a stronger parliament vis-à-vis the weak republics of RSFSR responded reluctantly to this first wave whereas Shaimiev ran for presidency of the Republic of Tatarstan on the same day with Yeltsin in June 1991. After the August 1991 coup the Supreme Soviet of Tatarstan became the target of the nationalists, now united behind the demand for a declaration of independence. There were mass demonstrations outside the Soviet calling for its storming and there were clashes with the police. At the end of October the Supreme Soviet of Tatarstan passed a declaration of independence, but softened the impact of declaration by announcing that a referendum would be held in April

²⁹⁴ Ibid., p.106

²⁹⁵ Ibid., pp.106-108

1992 on Tatarstan's independence. During this period the leaders of the neighboring republics criticized Tatarstan's attitude towards Moscow as unrealistic radicalism and emphasized their moderate position, including Bashkortostan. Rakhimov stated that secession from the RSFSR as it was claimed by Bashkort and Tatar nationalists was groundless. Furthermore, according to Rakhimov Tatarstan's declaration to be outside Russia's sphere was not their concern.²⁹⁶

5.3. Comparison of Bargaining Strategies of Tatarstan and Bashkortostan

It is also not surprising that Tatarstan and Bashkortostan adopted different bargaining strategies against Moscow. Before the break-up of the Soviet Union the most discussed issues were raising the status of the region, making budgetary and tax policy subject to local decision makers, and transferring industrial enterprise ownership from the USSR and Russian control to the immediate control of the republic. In these early stages, ethnic issues were mentioned more frequently than later periods. When the Soviet Union collapsed in December 1991 by the establishment of Commonwealth of Independent States; first by Ukraine, Russia and Belarus and later by the joining of Central Asian union republics of the Soviet Union, and the resignation of Gorbachev from his office the twenty-one republics of the RSFSR declared their independence. The common point of all these independence declarations was that they would provide a basis for negotiating a Federation Treaty, which would enable the regions and ethnic republics of the Russian Federation to take place in determining the relationship with the center. Before the signing of the

²⁹⁶ Matsuzato, Kimitaka, 'Authoritarian Transformations of the Mid-Volga National Republics: An Attempt at Macro-Regionology', *Journal of Communist Studies and Transition Politics*, Vol. 20, No. 2, June 2004, p.109

Federation Treaty, Tatarstan held a referendum to determine the status of the republic on March 20, 1992. As a result of the referendum, 82 per cent of the total electorate joined and 61.4 per cent voted in favor of independence, which in turn marked the fact that not only the Tatar population but also the non-Tatar population supported the independence of the republic. The Federation Treaty was signed on March 31, 1992 by the nineteen republics of the Russian Federation with the exception of Tatarstan and Chechen-Ingush Republic. Bashkortostan threatened to walk out the negotiations unless special concessions were given to the republic. The loss of Bashkortostan in addition to Tatarstan and the Chechen-Ingush Republic would completely jeopardize the process; therefore, Moscow had to agree to sign a separate appendix to the Treaty with the Republic of Bashkortostan that provided the republic with special dispensations regarding its contribution to the federal budget and the creation of an independent legal system, independent statehood and the right to attendant foreign relations. In August 1992, economically the most important and powerful republics of the Federation, namely Bashkortostan, Tatarstan and Sakha, issued a joint warning to the federal government not to ignore republican laws and legal rights refusing to pay taxes to the center until the relations with the center was defined through bilateral treaties. In response Moscow adopted sanctions against these republics, which in turn Rakhimov threatened the center to close oil pipelines and completely isolate themselves from Moscow.²⁹⁷

Tatarstan had followed a different path from Bashkortostan; resting their case on the referendum the Tatar leadership did not sign the Federation Treaty. It was agreed between the two sides that relations between the Russian Federation and

²⁹⁷ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 131

Tatarstan would be based upon a series of agreements or treaties covering economic issues, foreign relations, and citizenship. The progress was extremely slow as Moscow was not prepared to accept Tatarstan as an independent state, and the Tatar leadership knew it. On January 21, 1993 Shaimiev and Yeltsin met for the first of what was announced to be a series of monthly meetings in order to agree the terms of the treaty between the two states. When the Tatar delegation adopted a tough position and stated that if the agreement was not signed by April Tatarstan would not participate in the forthcoming federal referendum on the federal constitution, Yeltsin had to agree that it should be. The non-signing had its advantages for the Tatar leadership so that they could delay adopting economic reforms and privatization on the grounds that questions such as citizenship should first be concluded. The question of the budget was very debatable. As Moscow argued that Tatarstan failed to meet its obligations to the federal budget, the Tatarstan Minister of Finance hotly denied this and argued that with the contemporary agreement in operation until the bilateral treaty is signed, Tatarstan had paid more into the federal budget than it had received for the pensions fund and higher education.²⁹⁸ Nevertheless, it is important to bear in mind that though Tatarstan could hold up the payment of taxes or play the nationalist card in order to raise its leverage in the bargaining process vis-à-vis Moscow, it could not do without federal funding. It was not possible for Tatarstan to refine and sell the oil abroad without using the federal facilities as a land-locked state. Moreover, 20 per cent of its employed population worked in defense plants, which required federal subsidies for survival. By the summer of 1993, Bashkortostan was

²⁹⁸ Mary McAuley, *Russia's Politics of Uncertainty*, Cambridge: Cambridge University Press, 1997, p. 72

calling for the development of a republic legal system that would create a state finance system, develop foreign trade and regulate the transition to a market economy. On the day of the third anniversary of Bashkortostan's declaration of sovereignty Rakhimov stated the importance of a republican constitution in his address to the public. As Bashkortostan gradually settled its economic disputes with Moscow, state-building questions came to the forefront in the political arena of Bashkortostan.²⁹⁹

By the year 1993, debates on the style of federalism in Russia were growing. The adoption of the Federal Treaty in 1992 did not provide a basic agreement over federal theory and practice, rather a poorly designed cover to hide unresolved conflicts under the rubric of joint jurisdiction. Soon after the Treaty's signing the First All-Russian Congress of Finno-Ugric Peoples drafted a resolution that denounced the Treaty on the ground that republican legislatures had no right to ratify it.³⁰⁰ In September 1993, the Republic of Tatarstan organized an international conference attended by specialists from the USA, Europe, India, China, and throughout the CIS. The common point shared by the republican elites throughout these discussions and conferences was that lasting federal solutions could only be constructed by a process from the bottom up. In Bashkortostan and Tatarstan, the republican leaders loudly sounded their support to the development of federalism from the bottom up due to Yeltsin's attitude that backed up the Republican Supreme Soviets against the center until he consolidated his power. The personal advisor to

²⁹⁹ Dmitry Gorenburg, "Regional Separatism in Russia: Ethnic Mobilization or Power Grab?", *Europe-Asia Studies*, Vol. 51, No. 2, 1999, p. 254

³⁰⁰ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 146

the president of Tatarstan, Rafael Khakimov, defined two basic approaches to the federalization of Russia as constitutional-treaty and treaty-constitutional. The constitutional-treaty approach was not favored because it might lead to a dominant center and ever weaker republics. Contrarily, the treaty-constitutional approach demanded the establishment of relations between the center and republics from the bottom up through the voluntary transfer of power by bilateral treaties.³⁰¹ For regional political elites a treaty-constitutional approach meant not federation but a loose confederation, in which the Federation would not be greater than the sum of its parts.

Throughout this process, the Russian Federation was still operating under the heavily amended 1978 RSFSR Constitution. Yeltsin's new presidency clashed with the basic parliamentary structure of Soviet power, finally provoking violent conflict. When the new constitution drafted by Yeltsin's Constitutional Convention had been ruined by both the federal and regional parliaments, Yeltsin issued his famous presidential Decree No. 1400 that initiated a constitutional *coup d'état* against the parliament in October 1993. During the Constitutional Conference the Tatar delegation argued that they were in favor for a constitution that took account of the interests of all peoples of the federation. The Federation Treaty had recognized that Russia was a multinational country and that its peoples had the right of self-determination, whereas if now the federal constitution would give the republics and regions the same status as administrative units this signaled an infringement of the rights of its peoples.³⁰² Nonetheless, republics and regions fell largely silent in the

³⁰¹ Ibid., pp. 147-8

³⁰² Mary McAuley, *Russia's Politics of Uncertainty*, Cambridge: Cambridge University Press, 1997, p. 75

aftermath of the bloodshed in Moscow in October 1993. The Tatar leadership toned down its vocal criticism of the federal authorities but continued to maintain that the federal elections were of little relevance to Tatarstan; as a result, no candidates were forthcoming for the elections to the Council of Federation in December. Furthermore, the nationalists, in alliance with the Communists, called for a boycott of any elections. Shaimievites in Tatarstan used their extraordinarily electoral machines to boycott the elections to the newly formed federal parliaments, which in turn accelerated the process of concluding on a power-sharing treaty between Moscow and Kazan. As Tatarstan concentrated on the problem of how to build its relations with Moscow, Bashkortostan needed to catch up with Tatarstan. First of all, it needed to transform itself from parliamentary to a semi-presidential regime. Under the threat posed by the new Federal Constitution to the existing constellation of power in Bashkortostan, the institution of a strong presidency seemed best fit to protect the interests of the republican elite. As a result, Bashkortostan belonged to the group of Russian ethnic republics that responded to the second wave of the introduction of republican presidencies after the bloody events of October 1993. Possibly, Bashkortostan was a most attentive disciple of Tatarstan during the period after October 1993 until its signing of the bilateral treaty with Moscow in August 1994. Nevertheless, Bashkortostan's attitude towards the center was more pragmatic than that of Tatarstan. In contrast to Tatarstan, Bashkortostan did not boycott the federal parliamentary elections held on December 12, 1993 and held its presidential election on the same day with the Russian parliamentary elections and the referendum on the federal constitution.³⁰³ On December 24, 1993 the new republican

³⁰³ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in*

constitution of Bashkortostan was adopted. The Russian and the Bashkort constitutions of December 1993 revealed different approaches to the problem of federal relations in Russia. The Russian constitution demonstrated the model of a moderately asymmetric constitutional federalism, whereas the Bashkort constitution pursued the idea of a voluntary and theoretically reversible integration based on bilateral negotiations and contracts. As a result, the two constitutions did not change the existing relationship between the republic and federation but rather resembled a confirmation of the status quo.

5.4. Comparison of the Political Regimes of Tatarstan and Bashkortostan

The political systems developed in Tatarstan and Bashkortostan in the aftermath of the dissolution of the Soviet Union can be regarded as a manifest movement away from declared democratic values towards a regime based on personal authority. The Tatar president Mintimer Shaimiev ascended to the chairmanship of the Tatarstan Supreme Soviet in 1990. Shaimiev ran for republican presidency unopposed in 1991 and was elected on the same day as Yeltsin. The Bashkort president Murtaza Rakhimov, different from Shaimiev, did not have a political past when he came to power as the chairmanship of the Bashkortostan Supreme Soviet in 1990. Another important difference between Shaimiev and Rakhimov was that despite Shaimiev's election to the presidency of Tatarstan in 1991, Rakhimov cancelled the forethought presidential elections of December 1991 when he realized that his prospects for victory were far from secure. He was the director of an Ufa petrochemical plant and had never been a member of the party

nomenklatura. In Tatarstan, the political elite initially favored democratization as the republican constitution of November 1992 proclaimed the establishment of a democratic and social state embracing the rule of law, separation of powers, universal equality of rights, freedom of political activity and supremacy of human rights.³⁰⁴ Nonetheless, as soon as the Tatarstan ruling elite established its power increased its independence from the federal center, it became clear that its support for democratic norms and principles was a folding screen that disguised the strong authoritarian tendencies. According to the republican constitution of Tatarstan, the president has the power to make all appointments. Each and every appointment to a position of power, not only in the executive but also in the legislature and judiciary, has to be approved by the President. The lists of candidates from the party of power who aim to run for the State Duma or the republican parliament, the State Council, also required the approval of the President. The deputies to the Tatarstan parliament have had to adjust to the power of the President in order to preserve their position at the next elections or to secure an important post in the executive.³⁰⁵ The republican constitution of Bashkortostan could come to force after the October 1993 events and the referendum on the new federal constitution and the federal parliamentary elections of December 1993. According to the republican constitution, the president is granted the right to appoint and dismiss the heads of local government at will as the president of Tatarstan. For instance, when in May 1998 several heads of local administration and state officials of Tatarstan attempted to support an alternative candidate for the post of Chairman of the State Council, they were sacked.

³⁰⁴ Midkhat Farukshin, "Tatarstan: Syndrome of Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 193

³⁰⁵ *Ibid.*, pp.194-5

The legislatures of the two republics are designed different from each other. In contrast to the single chamber system of the Tatar legislature, the State Council; the Bashkort legislature, the State Assembly, consists of two houses as the Legislature Chamber and the Chamber of Representatives. According to the two consecutive laws in March and October 1994, the Legislative Chamber consisted of forty professional deputies elected on the basis of electorates of roughly equal size of population. The Chamber of Representatives, on the other hand, was to be elected as a non-professional body from the republic's seventy-seven administrative units with two representatives from each of them. As a result of the election system the rural population has been over-represented in the upper chamber, as only 18 of the 154 representatives represented 37 per cent of voters living in the republic's three biggest cities. It was also designed to favor rural Bashkorts and Tatars over more urbanized ethnic Russians. While the lower chamber seemed relatively egalitarian in representation, the upper chamber was geared toward Bashkorts of rural origin like Rakhimov.³⁰⁶ Moreover, candidates were required to collect signatures of 5 per cent eligible voters in their election region, which was a violation of the federal law that set a maximum limit of 2 per cent. The higher barrier for being elected increases the chance of well-known figures to be elected.³⁰⁷

The State Council elections of Tatarstan are conducted in two types of constituencies as administrative-territorial and territorial. The boundaries of the administrative-territorial constituencies match with the boundaries of towns and districts where local heads of government employ full control. The major difference

³⁰⁶ James Alexander and Jörn Grävingholt, "Evaluating Democratic Progress Inside Russia: The Komi Republic and the Republic of Bashkortostan", *Democratization*, Vol. 9, No. 4, Winter 2002, p. 88

³⁰⁷ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 184

between the two types of constituencies was that the candidates elected in the administrative-territorial constituencies were able to combine their main job with parliamentary activity. This was done to provide the heads of local government to become members of the republican parliament, who were appointed and dismissed by the President of Tatarstan.³⁰⁸

The electoral system in Tatarstan has several consequences. To start with, the combination of the role of deputy and the head of local government is a violation of both the Federal Constitution of 1993 and the republican constitution. Second, the republic suffers from a non-professional parliament as only a limited number of the deputies can manage to work full-time in the State Council. Third, the system violates the principle of equality of votes as administrative-territorial constituencies represent very varied number of voters. One of the most important discrepancies of a single chamber parliament appeared to be the fact that deputies that represent such varied numbers of voters all sit in the same chamber. Fourth, as voters in Tatarstan give their one vote to a candidate in their territorial constituency and another to a candidate in their administrative-territorial constituency, each voter turns out to be represented by two deputies in a single chamber. Finally, as the role of deputy is combined with the role of head of local government in a system which the heads of local government are appointed and dismissed from post by the President, the electoral system of Tatarstan effectively prevents the formation of opposition parties in the parliament against the President.³⁰⁹

³⁰⁸ Midkhat Farukshin, "Tatarstan: Syndrome of Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p.196

³⁰⁹ *Ibid.*, pp.198-9

In Bashkortostan, too, there is a tendency toward strong leadership that even resulted in the exclusion of serious contenders to Rakhimov by electoral commission rulings in 1998 elections. The 1998 election results surprisingly showed that almost 30 per cent of voters chose either Rakhimov's closest opponent, Rif Kazakkulov, or the option 'against all candidates', which in turn proved that compared to election results showing more than 90 per cent support for the chief executive in nearby Tatarstan opposition to Rakhimov is astoundingly widespread. Nevertheless, Rakhimov denounces critics as being extremist and shows no sign of respect for political opposition. Although people are allowed to form associations, they meet effective resistance as soon as their goals come into conflict with official government policy.

The quandary for civil society is best exemplified by the media that is vital for communicating the interests of societal groups as a means of pressuring political society. In Bashkortostan, newspapers that carry opposition material are effectively banned, journalists had been threatened, newspapers and radio stations shut down, and central television news programs taken off the air. In 1999, Bashkortostan ranked last in freedom of the press among Russia's regions.³¹⁰ Correspondingly, an organized opposition does not exist in Tatarstan and the level of popular participation in political and civic organizations is low. There are practically no political parties that could accumulate the interests of citizens or social groups to form independent centers of influence. Only the local economic elite could present an independent influence and a certain check on the Tatarstan ruling elite. Nevertheless, the Tatar economic elite consist of close associates of the political elite in high-ranking posts.

³¹⁰ James Alexander and Jörn Grävingholt, "Evaluating Democratic Progress Inside Russia: The Komi Republic and the Republic of Bashkortostan", *Democratization*, Vol. 9, No. 4, Winter 2002, pp. 96-8

Furthermore, the political authorities of Tatarstan had pursued the privatization policies totally in benefit of themselves, which in turn left the economic elite under the control of political authorities.³¹¹

As a result, the regimes of Tatarstan and Bashkortostan are closer to authoritarian rule than democracy. Juan Linz defines such regimes as ‘authoritarian situations’, which have a democratic façade, but are governed in an authoritarian manner.³¹² The political regimes of both republics seem to be in a process of democratic transition; however, the practical result may not be recognizable as functional democracies.

5.5. Comparison of the Bilateral Treaties of Tatarstan and Bashkortostan

Although there are some similarities between the bilateral treaties of Tatarstan and Bashkortostan, these documents reflect how Moscow evaluated the roles of these two republics in the federal structure. The strong presidential system of Yeltsin not only secured the equalizing and centralizing clauses of the 1993 federal constitution, which defined the federal relations, but also allowed him to negotiate with the leaders of the most important, both politically and economically, ethnic republics. In order to manage the long-running problem of contested sovereignty between the center and the Republic of Tatarstan, as well as the other ethnic republics, Yeltsin aimed to co-opt these key republican leaders into his presidential patrimonial system. Yeltsin’s aim gave way to a new type of federal architecture based on a highly selective system of partial asymmetric federalism that started with

³¹¹ Midkhat Farukshin, “Tatarstan: Syndrome of Authoritarianism”, in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 200

³¹² James Alexander and Jörn Grävingholt, “Evaluating Democratic Progress Inside Russia: The Komi Republic and the Republic of Bashkortostan”, *Democratization*, Vol. 9, No. 4, Winter 2002, p. 99

the signing of a power-sharing treaty with Tatarstan in February 1994. The ‘Parade of Treaties’ excluded the Russian parliament from the process of ratification, which in turn raised the questions on the legitimacy of these bilateral treaties. The limited consensus of the bilateral treaties between the Russian president and the presidents of Tatarstan, Bashkortostan and Sakha fell in sharp contrast with the Federation Treaty of 1992.³¹³ Hence, the Russian Federation entered into a new phase of federalization by the signing of a power-sharing treaty between Moscow and Tatarstan in February 1994.

Tatarstan, as the first ethnic republic that signed a power-sharing treaty with the center, set the standard for bilateral treaties which followed so that the references continue to be made to ‘the Tatarstan model’. The ‘Treaty on the Demarcation of Jurisdiction and the Mutual Delegation of Powers between the Bodies of State Power of the Russian Federation and the Republic of Tatarstan’ was signed on February 15, 1994. The official negotiations began as early as a week before the August 1991 coup with Gorbachev, which were characterized by a treaty-constitutional mindset. The initial agreement was reached after six months the negotiations started on the issue of economic cooperation. Nevertheless, the agreement had little immediate effect in practice while the Federal Ministry of Finance reported that Tatarstan owed 43 billion rubles to the federal budget. In 1993, Tatarstan, together with Bashkortostan, withheld approximately 400 billion rubles.³¹⁴ In the course of negotiations the Tatar delegation utilized a changing set of tactics vis-à-vis the center. At the time of drafting the Federation Treaty and the federal constitution,

³¹³ James Hughes, “Managing Secession Potential in the Russian Federation”, *Regional and Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 50

³¹⁴ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, pp. 151-2

Tatarstan tried to establish a coalition of like-minded former autonomous republics in order to demand a treaty-based relationship with the federal authorities and the recognition of their sovereignty as republics. Tatarstan refused to sign the Federation Treaty of 1992 and further asserted its position to develop a unique treaty-based association with the center in the republican constitution. The ratification of this republican constitution before the federal constitution was a negotiation tool by itself. It was followed by the boycott of the federal constitutional referendum and the parliamentary elections of December 1993. Before concluding the power-sharing treaty of February 1994, a set of special agreements were concluded between Moscow and Kazan on economic cooperation, cooperation on oil refining and transport, environmental protection, higher education, property, jurisdiction over local defense industries and customs.³¹⁵ The final treaty defined the key autonomies and power-sharing arrangements for Tatarstan on major policy areas, which were time limited for a term of five years.

Asymmetric federalism was further entrenched by the bilateral treaty with Tatarstan, which further led to a series of treaties in 194 and 1995 with the resource-rich republics of the federation. As a result, a bilateral treaty was signed with the Republic of Kabardino-Balkaria in July 1994 and thirdly with the Republic of Bashkortostan in August 1994. By the end of 1998, eleven republics had successfully negotiated bilateral treaties. Bashkortostan signed a bilateral treaty with Moscow six months after Tatarstan. Similar to Tatarstan, before the power-sharing treaty between Moscow and Ufa the two sides concluded ten inter-governmental agreements in May 1994 on issues such as economic cooperation, agro-industry, international economic

³¹⁵ Ibid., pp. 154-5

relations, state property, fuel and energy, customs, military industrial complex and others. The final document signed between the organs of state power of the Russian Federation and the Republic of Bashkortostan was basically a compromise agreement repeating what had already been agreed upon in previous years.³¹⁶ As mentioned before, while Tatarstan was taking the lead among the former autonomous republics in bargaining on federal relations with the center, the major aim of Bashkortostan was to catch up with Tatarstan. Nevertheless, the two republics followed different paths of action. In contrast to Tatarstan, Bashkortostan signed the Federation Treaty but managed to make Moscow sign a separate appendix that laid down the terms under which the republic was prepared to join the treaty. This document further re-asserted Bashkortostan's claim over control of the economic resources of the republic, tax sovereignty, and judicial independence from Moscow. Bashkortostan, unlike Tatarstan, did not boycott the referendum on federal constitution and the parliamentary elections, and simultaneously Rakhimov was elected as the republican president on December 12, 1993. Moreover, different from Tatarstan the republican constitution of Bashkortostan came after the federal constitution; however, it similarly pursued the idea of a voluntary and theoretically irreversible integration based on bilateral contracts and agreements.³¹⁷ The Constitution of Tatarstan of November 1992 declared its laws to be prior to federal law (Art. 59), and proclaimed to be a sovereign state associated to the Russian Federation (Art. 61); a clause that could not be spared in the power-sharing treaty of February 1994. Similarly, the constitution of Bashkortostan defined the state as

³¹⁶ Jörn Grävingholt, "Bashkortostan: A Case of Regional Authoritarianism", in *Regional Politics in Russia*, ed. Cameron Ross, Manchester: Manchester University Press, 2002, p. 189

³¹⁷ *Ibid.*, p. 188

sovereign and proclaimed the supremacy of republican laws on its entire territory (Art. 1), violating the federal constitutional provisions. The Russian constitution extends sovereignty to all territory of the federation (Art.4), based on a 'single unity, a single system of state power' with equal rights between the subjects of the federation (Art.5).

The power-sharing treaties of Tatarstan and Bashkortostan marked important differences between the bargaining leverages of the two ethnic republics vis-à-vis Moscow. The preamble to the treaty with Tatarstan goes furthest in recognizing sovereignty, describing Tatarstan as 'a state united with the Russian Federation', a step down from the 'associated' status claimed in the republic's constitution but still a remarkable statement of autonomy. Bashkortostan, on the other hand, was defined as a 'sovereign state' (Art. 1), but, it was modified by a preceding phrase, 'a full rights subject of the Russian Federation'.³¹⁸ The Bashkort constitution was accepted as equal to that of Russia's in the regulation of joint relations. Neither the bilateral treaty with Tatarstan nor with Bashkortostan made references to individual articles in the federal constitution, emphasizing the strong treaty-constitutional form endorsed by the republics. Nevertheless, as descriptions of republics as unique states weakened references to articles in the federal constitution increased. Moreover, treaties for Tatarstan and Bashkortostan had a style that clearly differentiates them from those under the exclusive remit of the federal constitution and Federation Treaty. The power-sharing treaties established principles of inter-governmental relations that deepened the constitutional asymmetries mainly due to the fact that the privileges defined by the bilateral treaties were extra-constitutional modifications to federal

³¹⁸ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, pp. 164-5

constitutional provisions. Another important indicator of powerful republics and in turn of powerful treaties was that specific agreements preceded principle-focused treaties of Tatarstan and Bashkortostan by months or even years. In later treaties with weaker republics, on the other hand, agreements did not precede treaties by more than a few days.³¹⁹

Though Tatarstan has been the only republic that could manage to assert its sovereign statehood as a state joined to the Russian Federation, the subsequent treaties with other resource-rich republics of the Federation in fact achieved more or less similar concessions with that of Tatarstan's from Moscow. The bilateral treaty with Tatarstan accorded to the republic the right to create its own budget funded with its own taxes and a variety of financial mechanisms necessary for foreign economic activity, including a national bank. Correspondingly, the bilateral treaty with Bashkortostan accorded the republic with the system of establishing a financial tax system, the right to enter into international and foreign economic relations, and the creation of a national bank (Art. 3).³²⁰ Both Tatarstan and Bashkortostan were entitled to decide issues of republican citizenship, to engage in international affairs, and to develop republican legislation systems. Furthermore, the federal authority was agreed for the enforcement federal law, levy of federal taxes, establishment of unified federal policies, and a unified federal legal and judicial system in both treaties.³²¹ The powers delegated by Tatarstan to the federal center were in many respects identical to those delegated by other subjects of the federation; however,

³¹⁹ Ibid., p. 166

³²⁰ document of the bilateral treaty between Russia and Bashkortostan

³²¹ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 155

different from following bilateral treaties Tatarstan's agreement allowed it to deal with Russia on an equal footing.

The key treaties with resource-rich ethnic republics of the Russian Federation clearly involved a massive loss of revenue for the federal government and were a considerable source of resentment among Russian elites. For Moscow based advisers the parade of treaties indicated the breakup of Russia, whereas the republican leaders the bilateral treaties were a healthy sign of political flexibility and creativity in reducing the level of interregional suspicion and fear.³²² The asymmetrical federalism further deepened by the 'parade of agreements' that accomplished the signing of treaties did not even satisfy the strongest republics. In 1997 and 1998, the interviews in Tatarstan showed that the republican elites were unsatisfied by their acquired privileges because the bilateral treaty was viewed as one step in a process of acquiring more sovereignty. The asymmetric abridgement by bilateral treaties diminished the importance of the federal constitution as the republics accepted the individual treaties more important than the federal constitution. Moreover, the agreements did not require the ratification of republican or federal legislatures to enter into force remaining dependent on cooperation between the federal president and his republican and regional counterparts. The personalized nature of the treaties, together with the impermanent characteristic, left basic questions of federal-regional relations in flux and raised the questions on the legitimacy of these treaties.³²³ The multiplicity of treaties did little to clarify issues of immediate jurisdiction or to

³²² Nail Midkhatovich Moukhariamov, "The Tatarstan Model: A Situational Dynamic", in *Beyond the Monolith: The Emergence of Regionalism in Post-Soviet Russia*, eds. P. J. Stavrakis, J. DeBardeleben, and L. Black, Washington D. C.: The Woodrow Wilson Center Press, 1997, p. 223

³²³ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, pp. 171-2

establish principles for the resolution of future center-region conflicts. In late 1996, the Russian Federation Ministry of Justice announced that nineteen of twenty-one republican constitutions violated the federal constitution starting the ‘war of laws’. The constitutions of both Tatarstan and Bashkortostan declared the supremacy of republican laws throughout their territories (Art. 59 and Art. 128 respectively). As a result at least through the final year of the Yeltsin administration, these republics did not recognize a unified legal space for the federation. Yeltsin’s adviser on legal questions, Mikhail Krasnov, announced that Tatarstan and Bashkortostan simply ‘do not take in Russia’s judicial system’.³²⁴ Apart from the problem of a unified legal space, one of the most significant issues is the budgetary and tax relationship between the center and the republics. The issue of greater fiscal autonomy and resource control were primary goals of the bilateral treaty process. Tatarstan’s payments specified with the bilateral treaty of February 1994 included 13 per cent of a profits tax, 1 per cent of income tax and an unspecified percentage of VAT to be determined annually by the finance ministries of Tatarstan and Russia.³²⁵ Bashkortostan, on the other hand, signed agreements with the center outlining budget cooperation ranging from explicit percentages of tax transfers to vague statements of jurisdiction together with the recognition of a National Bank. At the height of the tax wars between 1992 and 1993, Tatarstan and Bashkortostan did not pay their shares in tax revenues to the federal budget and justified their non-payments with the statements that rather than send funds to Moscow to be distributed later, those federal programs benefiting the republic would be financed directly by the republic itself.³²⁶

³²⁴ Ibid., pp. 174

³²⁵ Ibid., pp. 184

³²⁶ Ibid., pp. 186

Moreover, Bashkortostan did not pay its tax revenues in 1999 different from Tatarstan carrying the fiscal problems with the center until Putin's term.

5.6. Comparison of the Tatar and Bashkort Reactions to Putin

Finally, it is important to examine reactions of the Tatars and Bashkorts to Vladimir Putin's federal reforms. During Yeltsin's decade in power, the regional elite had grown strong while the capacity of the federal government shrank. Throughout his term Yeltsin needed the support of the regional leaders in order to undermine the authority of USSR President Mikhail Gorbachev, to defeat the opposition in the shelling of the parliament in 1993, and to beat back a communist threat in 1996 elections. Such a relationship with the regional leaders in turn gave way to numerous concessions given by Yeltsin to the regional elite that diminished the control of the center over the regions.³²⁷ Instead of an ordered federal separation of powers, the country fell into a process of segmented regionalism, which fragmented the country economically and juridically. "By the end of Yeltsin's term Russia was not only a multinational state, but was also becoming a multi-state state, with numerous proto-state formations making sovereignty claims vis-à-vis Moscow."³²⁸ As soon as Vladimir Putin came to power in Russia, he focused with special intensity on the central question of how best to rule Russia with a centralized authority. Putin launched his presidential term with a package of initiatives aimed at strengthening the power of Russia's federal government in its relations with the regions. Within this context, on May 13, 2000, Putin issued a presidential decree

³²⁷ Robert Ortung, "Key Issues in the Evolution of the Federal Okrugs and Center-Region Relations under Putin", in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, ed. R. Ortung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 19

³²⁸ Richard Sakwa, *Putin: Russia's Choice*, London: Routledge, 2004, pp. 135-6

dividing Russia's eighty-nine regions to seven federal districts, each of which would be headed by a presidential representative directly subordinated to the President. The old system of presidential representatives was abolished on the ground that the earlier envoys had come under the influence of regional governors to whom they were dependent in all aspects.

Tatarstan and Bashkortostan are placed in the Volga Federal District, which is headed by Sergei Kirienko, a so-called liberal reformer and a well-known politician who served as Russia's prime minister prior to August 1998 economic crisis. The initial project of Kirienko as the presidential representative of the Volga Federal District was to bring regional laws in conformity with federal laws, as Putin calls it a "dictatorship of law". The initial reactions of Tatarstan and Bashkortostan against creating a unified legal space in the Russian Federation based on neglecting the decisions of the federal Constitutional Court, which indicate that several regional constitutions violate the federal constitution. Soon all the republics and regions would be pressed by Putin's presidential representatives and the procuracy and Ministry of Justice to bring their laws into conformity with federal norms. Bashkortostan immediately reacted the Court's decision on the ground that the Constitutional Court of Russia was just a body to be respected, but had nothing to do with the republic as the republic had its own Constitutional Court. In Tatarstan, the Tatar nationalists presented the republic's parliament and president with a bill declaring the decision of the Constitutional Court invalid in its territory.³²⁹ Nevertheless, the attitude would radically change as the presidential representatives

³²⁹ Jeffrey Kahn, *Federalism, Democratization, and the Rule of Law*, Oxford: Oxford University Press, 2002, p. 251

flexed their muscles and Putin's other proposals became federal law narrowing the circle for the regions.

The procurators in the Volga Federal District found 853 regional laws that violated federal laws, with the largest number of transgressions in the republics of Tatarstan and Bashkortostan.³³⁰ Putin hoped that the campaign to bring regional laws in line with the federal ones would create a process in which newly adopted laws would not be in contradiction with the federal norms. Nevertheless, though Tatarstan and Bashkortostan have adopted new constitutions, there are still several regional laws that violate the federal constitution. The leverage in federal bargaining that Bashkortostan owes vis-à-vis Moscow, when compared to Tatarstan, can also be seen in responding Putin's campaign to bring regional laws in line with federal laws. Contrary to Tatarstan, Bashkortostan responded immediately to Putin's call and made significant changes in its constitution in November 2000;_however, these amendments not only failed to bring the republic's law into line with the federal ones, but to the contrary, strengthened several aspects of the republic's special status.³³¹ Bashkortostan redacted some, but not all, of its assertions of sovereignty from the constitution's text. While the passages in which the republic identified itself as a subject of international law, and declared its laws superior to federal laws were deleted from the new text, the text of Bilateral Treaty was included in the new constitution elevating the status of the Treaty, which reasserted the republican sovereignty and treaty-constitutional character of the federal relations. After the

³³⁰ Sharafutdinova, Gul'naz and Magomedov, Arbakhan. 'Volga Federal Okrug' in Orttung, R.; Reddaway, P. (eds.), *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, Rowman & Littlefield Publishers, 2004, p. 159

³³¹ Sharafutdinova, Gul'naz and Magomedov, Arbakhan. 'Volga Federal Okrug' in Orttung, R.; Reddaway, P. (eds.), *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, Rowman & Littlefield Publishers, 2004, p. 160

adoption of new constitution, the procurator to Bashkortostan filed a protest against the republic on the ground that at least twenty provisions of the new text violated the federal constitution. Under the pressures from Moscow, Bashkortostan adopted a third-version of its constitution on December 3, 2002 that did not include the text of the power-sharing treaty; however, Rakhimov announced that this did not mean the annulment of the treaty.³³²

Tatarstan, on the other hand, dragged the question of amending the constitution until 2002. In the initial period, the republican authorities and Kirienko's staff established a conciliatory commission that was unable to reach at a final agreement on several key questions. As a result, the main discussion points were left to bilateral meetings of Shaimiev and Putin. The revised constitution of Tatarstan that was adopted in February 2002 included the text of the power-sharing agreement between the republic and federal center. In the final text of the revised constitution, Tatarstan still used the word 'sovereignty' even though under limited provisions.³³³ Nonetheless, in order to divert the pressure from Moscow, Tatarstan had to remove from the text the assertions of international status for the republic, of an associative relationship with Russia, and of superiority of republican laws over federal laws.³³⁴ As a matter of fact Tatarstan has asserted its 'associated' character with the Russian Federation in the revised constitution of 2002, but, with the wording that "The Republic of Tatarstan is a democratic constitutional State *associated with* the Russian

³³² Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 160

³³³ Richard Sakwa, *Putin: Russia's Choice*, London: Routledge, 2004, p. 156

³³⁴ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 160

Federation by the Constitution of the Russian Federation, the Constitution of the Republic of Tatarstan and the Treaty between the Russian Federation and the Republic of Tatarstan ‘On Delimitation of Jurisdictional Subjects and Mutual Delegation of Powers between the State Bodies of the Russian Federation and the State Bodies of the Republic of Tatarstan’, and a *subject* of the Russian Federation.”³³⁵. In the previous version of the constitution, on the other hand, Tatarstan had been defined as “a sovereign state, a *subject of international law*, associated with the Russian Federation- Russia according to the Treaty on mutual delegation of authority and jurisdictional subjects”³³⁶.

The solution of the impasse between the republican constitution of Tatarstan and the federal constitution could only be possible when the authorities of Tatarstan secured financial assistance from Moscow in compensation for the republic’s losses in making the required concessions to the federal government. In particular, the tax losses of the republic were immense. The republic was able to keep all fees derived from oil production, approximately 75 per cent of all taxes; however, under the new system all fees and VAT went to the federal budget. In order to soften the blow of its lost status as a privileged taxpayer, Tatarstan initiated a socio-economic development program that would cost 306 billion rubles, sixty-one billion rubles of which would come from the federal budget.³³⁷ After Tatarstan, Putin visited Bashkortostan and agreed similar forfeits of fiscal expectations with President Rakhimov. Bashkortostan was the only subject that did not deliver income tax revenues to the federal budget in

³³⁵ Constitution of the Republic of Tatarstan, <http://www.tatar.ru/> , Section I, Article 1.1

³³⁶ Constitution of the Republic of Tatarstan, <http://www.tatar.ru/english/const003.html>, Section III, Article 61

³³⁷ Gul’naz Sharafutdinova and Arbakhan Magomedov, “Volga Federal Okrug” in *The Dynamics of Russian Politics: Putin’s Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 161

1999. The Treaty revisions, as a result, strengthened the federal treasury and gave the federal government greater control over tax collection in the resource-rich republics of the federation. Putin, on the one hand, aimed to erode the partial asymmetry and perhaps to remove it completely from federal life, Shaimiev, on the other hand, recently observed that since Tatarstan did not sign the Federation Treaty or ratify the Federal Constitution, without the power-sharing treaty the relations between Tatarstan and Russia have no defined constitutional basis.³³⁸ Even though several governors of the Volga Federal District have taken steps to win Kirienko's and Kremlin's favor by giving up the bilateral treaties with Moscow signed during the Yeltsin era, the leaders of Tatarstan and Bashkortostan have consistently fought to preserve their treaties in force.

In relations with the presidential representative the leaders of stronger regions generally chose to avoid the district leadership and to communicate directly with the federal authorities in Moscow. Bashkortostan's President Rakhimov, for instance, worked out a deal with Deputy Prime Minister Ilya Klebanov on creating an aviation holding company even though Kirienko publicly announced that this sort of integration should be worked out at the level of district. In the same way, Tatarstan's President Shaimiev, managed to avoid Kirienko's conciliatory commission and directly met with Putin in revising the republican constitution. Although Shaimiev and Rakhimov meet one another personally at the airport they send the chairmen of their regional legislatures to meet Kirienko.³³⁹ Another important indicator of

³³⁸ James Hughes, "Managing Secession Potential in the Russian Federation", *Regional & Federal Studies*, Fall 2001, Vol. 11, No. 3, p. 60

³³⁹ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 163

Shaimiev-Putin proximity can also be seen during the presidential elections of Tatarstan, which had been projected for December 24, 2000 but moved to March 24, 2001 by the recommendation of the Central Electoral Committee. At the time, the State Duma was considering a proposal that would resolve the problem of the ‘third term for the governors’ as the Federal Constitution of Russia allows the regional governors to stay in office only for two terms. After the State Duma approved the proposal by the votes of 239 deputies, Shaimiev was able to run for presidential elections for a third term. During the elections more than 80 per cent of voters supported him. The doubts of the Kremlin administration was not with the third term presidency of Shaimiev, as Putin’s support was well-known to Shaimiev for another term in office, but the possibility of other regional leaders to follow the example of Shaimiev.³⁴⁰ Rakhimov, on the other hand, reacted to the federal reforms and scandals surrounding the elections commenting on the most controversial points concerning the relations of the regions with the center. During the presidential campaign of Shaimiev for a third term, Rakhimov made his sensational statement that he did not intend to run for office after the second term.³⁴¹

Following the establishment of federal districts in May 2000 in order to strengthen the ‘executive vertical’, the legislative reforms were introduced in June 2000. The law on the Federation Council conceded that a governor’s appointment or dismissal of a representative could be blocked by a two-thirds majority in the legislative assembly within two weeks. Regional elites’ power to dismiss local self-government officials paralleled the power Putin would hold over regional executives

³⁴⁰ Mikhail Stoliarov, *Federalism and the Dictatorship of Power in Russia*, New York: Routledge, 2003, p. 219

³⁴¹ *Ibid.*, p. 224

and legislatures provoked less controversy. An agreement was also reached over a soft transition of Federation Council members, with governors leaving the Federation Council as their terms expired or by January 1, 2002 at the latest. As a large number of governors faced election in Autumn 2000, they were not able to return to the upper chamber. Furthermore, the current members of the Federation Council who were not members of local legislatures lost their immunity from criminal prosecution after January 1, 2002. The reform of the Federation Council confirmed Putin's peculiar mix of strength and weakness. The legislative reform provided a full-time upper legislative chamber and a more realistic separation of powers as Putin targeted.³⁴² Despite the fact that Sergei Kirienko has had only limited autonomy in powerful, resource-rich republics of the Volga Federal District, he exercised a comparatively powerful influence over the Volga regions' appointments to the Federation Council, with many of the new senators coming from his staff.

The last step in pacifying the governors was establishing the State Council of the Russian Federation, a consultative body that assists the head of state to execute his powers in order to secure the coordinated functioning and interaction of the bodies of state authority. The Council consists of the leaders of all constituent parts of the Russian Federation and directly headed by Russia's President providing the regional leaders to meet with the president face-to-face. A presidium was also established to the State Council, the first of which was composed of the most imminent leaders of seven federal districts, including Mintimer Shaimiev from the Volga Federal District.³⁴³

³⁴² Richard Sakwa, *Putin: Russia's Choice*, London: Routledge, 2004, p. 147

³⁴³ Mikhail Stoliarov, *Federalism and the Dictatorship of Power in Russia*, New York: Routledge, 2003, p. 154

The attempt to create a national market became one of the central projects of Putin's regional policy. The first step was to revoke many of the tax concessions granted to the regions under Yeltsin's term increasing the 50:50 share of the income tax revenue between the regions and the federal government to 70:30 in favor of the federal center. Moreover, the regions were no longer allowed to keep the 15 per cent of VAT and should deliver entirely to the federal budget. These changes in budgetary allocations mean that today no more than five regions are net donors to the federal budget.³⁴⁴ At the district level, the developmental programs began to take the lead. The envisioned plan for the strategic development of the Volga Federal District aimed at integrating the development programs of individual regions and of various interregional projects. To this end, there were attempts to integrate the aircraft production facilities in Ulyanovsk, Samara, Nizhni Novgorod, and Tatarstan; however, the biggest obstacle to integration was the issue of ownership and control of property. The economic elites in Tatarstan and Bashkortostan controlling the major economic entities on their territories do not generally agree to reconcile their interests in favor of the district.³⁴⁵

In the time of one year, Putin has radically transformed the nature of Russian federalism, by a program of measures to recentralize power. The power of the leaders of the republics and the regions has been seriously weakened by both executive and legislative reforms of Putin. Some of the key concessions given by Yeltsin to the powerful republics in the bilateral treaties have been reversed in favor of the federal

³⁴⁴ Richard Sakwa, *Putin: Russia's Choice*, London: Routledge, 2004, p. 151

³⁴⁵ Gul'naz Sharafutdinova and Arbakhan Magomedov, "Volga Federal Okrug" in *The Dynamics of Russian Politics: Putin's Reform Federal-Regional Relations Volume I*, eds. R. W. Orttung and P. Reddaway, Rowman & Littlefield Publishers, 2004, p. 171

center. Even though Tatarstan and Bashkortostan had to give up several concessions they had gained through their power-sharing treaties, both of the republics managed to keep up with their sovereignty claims by exploiting the weaknesses of the federal center. Having compared the Tatar and Bashkort cases in this chapter, the thesis will discuss the findings of all chapters in the concluding chapter.

CHAPTER 6

CONCLUSION

This thesis attempted to examine federal bargaining in post-Soviet Russia by discussing Moscow's negotiations with Tatarstan and Bashkortostan in a comparative perspective. Four main chapters were devoted to the examination of this topic from different angles.

To examine the process of federal bargaining between the federal center and its two subjects, namely Tatarstan and Bashkortostan, it was necessary to define the basic characteristics of new Russian federalism that emerged in the post-Soviet era from the ashes of the Soviet Union. In this context, Chapter 2 initially demonstrated the basic premises of the Soviet Nationality Policy that left the rhetoric of right to sovereignty and the right to self-determination, which had been extensively used by the autonomous units of the RSFSR in the last days of the USSR. The following pages of the chapter attempted to establish the general framework within which the new federal system of Russia has accomplished.

Federalism is a complex political way of life for the interaction of different levels of government that are concurrently decentralized and unified. The conception of sovereignty, which has been the centerpiece of Russian federalism, presents a departure in federal systems from its traditional understanding of absolutism and indivisibility. The federal system of the Soviet Union that has helped to shape new Russian federalism was highly centralized. The federal provisions established by successive constitutions were breached with the monopoly of a vanguard party,

namely the Communist Party, controlling the state and its governing position was always superior to the rule of law.³⁴⁶

The scholars of federalism have always stressed the relationship between federalism, democracy, and the rule of law. Nevertheless, these theories do not explain transitional regimes such as Russia where federalism and democracy need to be constructed and consolidated at the same time, and where constitutionalism and the rule of law are yet only weakly developed. Contrary to democracy and pluralism, the unique blend of constitutional, socio-economic, and political asymmetry of Russian federalism has bolstered authoritarian regimes in the regions.³⁴⁷

The Soviet legacy has had a profound influence on Russia's unique form of asymmetrical federalism. The legacy of the Leninist and Stalinist doctrines regarding the notions of sovereignty, self-determination, and federalism from the bottom up became the very lexicon of the republican elites in the last days of the Soviet Union and afterwards. Republican elites were forced to develop strategies in order to maintain their authority as a result of the weakening power of the Communist Party on one side and the simultaneous growing importance of the local electorate on the other. The 'Parade of Sovereignties' provided a powerful concern for the republics and regions of the Union around which to unite and a base upon which new rules of the game could be designed.³⁴⁸ The parade resulted from the epic struggle for power between Mikhail Gorbachev and Boris Yeltsin. Gorbachev attempted to bypass Russia's leadership and invited the leaders of some of the autonomous republics to

³⁴⁶ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 281

³⁴⁷ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 175

³⁴⁸ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 281

sign the Union Treaty together with the leaders of the union republics. Yeltsin, in response, called the autonomous republics to grab as much sovereignty as they could handle. Nonetheless, opportunities to accept sovereignty differed in each republic.³⁴⁹

After the dust of the Soviet Union's collapse had settled, Yeltsin brought in the signing of the Federation Treaty of 1992, which was refused by Tatarstan and Chechen-Ingush Republic to sign. Bashkortostan, making use of the refusal of the Tatars and Chechens, signed the Treaty with special conditions attached. By the Federation Treaty, Yeltsin was forced to concede major powers to the federal subjects, which to some extent diminished the differences in status between regions weakening the ethnic character of Russian federalism.³⁵⁰ In the period between the signing of the Federation Treaty in March 1992 and the adoption of the Russian Constitution in December 1993, the republics were able to exploit the political impasse in Moscow. The constitutional foundations that would determine the future course of these republics in the federation were laid down during a time of turmoil and uncertainty, which mainly stemmed from the executive-legislative impasse keeping Yeltsin busy all the time.

The institutional structure of the new Russian Federation based on the 1992 Federation Treaty and 1993 Federal Constitution that has been initially analyzed in the second chapter of this study further became the center focus of Chapter 3 and 4 in order to understand the impacts of the Treaty and Constitution on the republics of Tatarstan and Bashkortostan. Chapter 3 and 4 further sought to identify the role played by the Treaty and the Constitution in the federal bargaining strategies

³⁴⁹ Nikolai Petrov, "Federalism", in *Between Dictatorship and Democracy: Russian Post-Communist Political Order*, eds. M. McFaul, N. Petrov, and A. Ryabov, Washington: Carnegie Endowment For International Peace, 2004, p.218

³⁵⁰ *Ibid.*, pp.218-9

developed against the federal center by the republican elites of Tatarstan and Bashkortostan. Among the strategies of Tatarstan and Bashkortostan in the federal bargain, for instance, was the adoption of their constitutions that paid little attention to ensure the conformity with the Federation Treaty or Federal Constitution. Furthermore, taxes were withheld, court decisions ignored, federal presidential and parliamentary directives rejected by the republics as infringements on their sovereign rights.³⁵¹ Republican elites spoke in terms of treaty-constitutional federal relation, implying their rights as sovereign subjects of international law. The federal actors, on the other hand, insisted on constitution-treaty based federalism, in which the strong federal center would dominate the center-region relations.³⁵²

The adoption of the Federal Constitution after-shocks of Yeltsin's violent assault and dissolution of the Russian parliament rescinded the Federation Treaty by simply excluding the Treaty from the Constitution. The Constitution was fundamentally weakened by questions over its legitimacy. As a result of the December 1993 referendum, forty-two subjects out of eighty-nine failed to ratify the Constitution. The Tatar case demonstrated in Chapter 3, for instance, showed that even though the Tatar political elite chose to keep silent against the bloody October events, they managed to make use of the case in federal bargaining process with Moscow. The referendum on the Federal Constitution was largely protested in Tatarstan due to Shaimiev's call that no real Tatar nationalist could approve such a constitution that completely neglected republican sovereignty. The Tatar reaction to the Constitution increased the pressure on Yeltsin administration accelerating the

³⁵¹ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 282

³⁵² Jeff Kahn, "What is the New Russian Federalism?", in *Contemporary Russian Politics: A Reader*, ed. Archie Brown, Oxford: Oxford University Press, 2002, p. 379

bilateral negotiations process between Moscow and Kazan in the immediate aftermath of the referendum. Yeltsin, who was face-to-face with the outright secession claims of Chechnya, felt the necessity to compromise with the Tatar political demands in order to keep Tatarstan within the system.

Furthermore, many of those ethnic republics that rejected the Constitution soon declared that their own constitutions were to take precedence over the federal one, starting the 'war of laws' between the center and federal subjects. Republican constitutions based their legitimacy on many of the same principles found in declarations of sovereignty, foremost of which was the principle that republican laws retained supremacy over federal legislation. Chechnya demanded outright secession and Tatarstan declared that it was an 'associate member' of the federation, whereas Bashkortostan was able to forge confederal relations with the center.³⁵³

The institutional asymmetry already inherent in Russia's hierarchy of constituent units propagated in a 'Parade of Treaties'. Chapter 3 and 4 attempted to identify the treaties signed with Tatarstan and Bashkortostan separately, whereas the two treaties have been made subject to comparison in Chapter 5. The treaties were used to define the boundaries of authorities between Moscow and regional governments. Following the first bilateral treaty with Tatarstan in February 1994, forty-five more regions signed similar agreements with Moscow in four years time. The treaties formalized the emergence of asymmetrical federalism where the rights of separate regions were negotiated on an *ad hoc* and bilateral basis. This thesis has focused on these *ad hoc* negotiations pursued by the Tatar and Bashkort political elite vis-à-vis Moscow with the aim to maintain as much authority as possible.

³⁵³ Cameron Ross, *Federalism and Democratization in Russia*, Manchester: Manchester University Press, 2002, p. 173

The negotiation of the first “treaty to delimit power” between the Russian Federation and the Republic of Tatarstan, was signed after the resolution of the constitutional crisis. Even though Tatarstan continuously asserted its prominent standing in the federation, its treaty established a precedent for the other member of the federation, particularly for the other ethnic republics of the Middle Volga region. Tatarstan’s President Shaimiev “used the center’s position to negotiate a treaty that both increased its control over the natural resources on its territory and minimized the republic’s fiscal responsibility to the federal government, effectively receiving many of the benefits of sovereignty in exchange for sacrificing the rhetoric of independence”³⁵⁴. The power-sharing treaty between Russia and Tatarstan provided the republic with very essential economic privileges. The Treaty granted Tatarstan sole retention of the tax revenue from liquor, natural gas, and oil together with profits from privatization and corporate tax to support key national industries.³⁵⁵

The particularistic nature of the treaties also developed out of the limitations of the bargaining and approval processes to the executive branch. Although the negotiation processes incorporated several economic and political elites from the ministries at the federal and regional levels, the final documents were signed by the Russian President and the republican President or the regional governor. The omission of the legislative branches from the approval process of the bilateral treaties originated with the center’s desire to limit the negotiating costs. As the central government chose bilateral treaties as a short-term solution, it sought to minimize the time and collective costs by limiting the parties to the agreement.³⁵⁶

³⁵⁴ Elizabeth Pascal, *Defining Russian Federalism*, Westport: Praeger Publishers, 2003, p. 64

³⁵⁵ *Ibid.*, p. 64

³⁵⁶ *Ibid.*, p. 66

The subsequent bilateral treaties emanated from the same political rationale as the treaty with Tatarstan; however, most of the treaties, especially the ones signed with the regions, granted lesser privileges compared to the first group of power-sharing treaties conducted with the resource-rich republics of the federation. Economic factors support Steven Solnick's account of bargaining game, in which the republics with the most to bargain held the best chance of treaty success. Poorer republics, dependant on federal subsidies, were in a poor position to demand a bilateral treaty decreasing the federal control.³⁵⁷ There is a substantive shift between the content of the first group of treaties and the remaining. As the comparative analysis of Chapter 5 indicated the documents concerning Tatarstan and Bashkortostan, in particular, have a style and content which clearly distinguishes them from those under the exclusive remit of the Federation Treaty and Federal Constitution. Treaties for these two republics constitute principles for inter-governmental relations, or constitutional asymmetries as defined by Solnick.³⁵⁸

The comparative analysis in Chapter 5 shows that Tatarstan enjoyed the advantage of being the first among the others that faced the center and the status of being central to federal relations, whereas the other ethnic republics such as Bashkortostan managed to obtain more or less similar concessions to Tatarstan by successfully manipulating the weaknesses of the center and following the tracks left by Tatarstan. Tatarstan and Bashkortostan, by preying on federal anxieties about the integrity of the state and the potential 'bandwagon effect' of protests and opposition,

³⁵⁷ Jeffrey Kahn, *Federalism, Democratization and the Rule of Law in Russia*, Oxford: Oxford University Press, 2002, p. 161

³⁵⁸ *Ibid.*, p. 165

could essentially blackmail federal executives into providing various forms of political and fiscal appeasement.³⁵⁹

By 1996, bilateral federal bargain had emerged in Russia as the dominant strategy to address intergovernmental problems. The status of these forty-six agreements in relation to federal legislation remained uncertain. Federal officials complained that the agreements contradicted federal laws, particularly tax and budgetary legislation, yet there were few attempts to unify the documents in the Yeltsin era. As an attempt to establish the framework and limits of the treaties and subordinate them to federal law, Duma drafted a law in 1997. In 1999, the equality of the federal subjects was reaffirmed by a law passed by the Federation Council, the upper house.³⁶⁰ Even though the treaty law institutionalized and restricted the bilateral negotiation process to the center's benefit, bilateralism had already ceased to serve the center's needs.

The analysis made separately on Tatarstan and Bashkortostan, in chapters 3 and respectively, and the comparative analysis adopted in Chapter 5 showed that the expansion of the bilateral process served to the ends of unifying the state, delineating property rights, and providing economic payoffs for political loyalty, especially during the presidential campaign of 1996. By the end of 1990s, bilateralism no longer served to solve major jurisdictional questions or to overcome electoral obstacles, which were the original purpose of the treaty process. At first sight, to prevent disintegration of the federation from sovereignty claims by Tatarstan and from unilateral seizure of resources bilateral federal bargaining process proved to be

³⁵⁹ Ibid., p. 163

³⁶⁰ Elizabeth Pascal, *Defining Russian Federalism*, Westport: Praeger Publishers, 2003, p. 161

successful. Tatarstan eschewed any claims of political autonomy, along with other republics such as Bashkortostan.³⁶¹

In search to understand the nature of new Russian federalism, and the federal bargain between the center and federal subjects the four chapters of this thesis further attempted to demonstrate an analysis of the Putin federal reforms that considerably shifted the balance of power in federal relations from the regions to the federal center.

The sudden resignation of Yeltsin on the eve of the millennium and the hasty election of Vladimir Putin to Russian presidency accelerated the shift in the balance of power towards the federal center. From the time of his election, Putin has asserted his commitment to regional equality and federal authority. Contrary to Yeltsin's promotion of bilateral bargaining to realize national unity, Putin argued that bilateralism and the resulting end of self-sufficient local governments threaten the domestic security of the Federation. As a result, Putin focused on reversing some of the decentralization achieved under bilateralism while limiting the power of regional leaders in federal decision making and strengthening the vertical power of the executive over the regions. Putin's offensive against the bilateral treaties and regional inequalities signifies a new federal strategy in dealing with regional leaders.³⁶²

The federal reform package introduced by Putin into the agenda of Russian federal system on May, 13 2000, initially divided the eighty-nine regions of the federation into seven federal districts, each of which would be headed by a

³⁶¹ Ibid., pp. 162-3

³⁶² Ibid., p. 164

presidential representative appointed by the Russian President. The administrative layer established between the federal center and the regions by the institution of presidential representatives distanced the regional leaders from the center. With the new reform package Putin had the right to dismiss regional governors and dissolve regional legislatures for violating federal laws. Putin also changed the formation of the Federation Council in order to reduce the power of regional leaders in federal decision making process. As a response to Putin's threat of dissolving the Federation Council altogether, the regional leaders agreed to leave their seats in the Council and send one representative from regional executive and legislative organs of their regions. Nevertheless, Putin has shown his willingness to bargain with regional leaders despite his centrist rhetoric, permitting regional leaders to run for a third or even fourth term of office in exchange for support of his administration, as it was the case in the election of Mintimer Shaimiev for a third term presidency in Tatarstan.

The most direct attack of Putin on bilateralism has been the attempt to annul the bilateral treaties and agreements with the idea of creating a unified and symmetrical legal space. In 2002, twenty-eight treaties had been annulled; however, the treaties of Tatarstan and Bashkortostan, which established the benchmark of regional autonomy, remained in force. Bashkortostan, even, have included the text of its power-sharing treaty in the revised version of its republican constitution. As Putin concurrently demanding revisions to the bilateral agreements in order to bring them in conformity with federal law, the federal government faces the same bilateral federal bargaining process to alter the original agreements with the new ones.³⁶³

³⁶³ Ibid., pp. 166-7

The case studies of this study, Tatarstan and Bashkortostan, demonstrated clear examples for the argument of this thesis that although post-Soviet Russian federalism is characterized by asymmetries, the Bashkort and Tatar federal negotiations with Moscow show that sometimes weaker federal units could gain relatively greater degree of autonomy from the federal center due to the divide and rule tactics of the federal center. The two oil-rich ethnic republics of the Russian Federation, the two of which share several common points in ethnic origin, language, cultural and social heritages separated themselves in the state-building processes of the Soviet and post-Soviet eras. Contrary to the Soviet era, the defining point of state-building process in the post-Soviet era turned out to be federal bargaining strategies developed by the federal center and regions as a new phenomenon in Russian federal relations.

The Bashkort case showed us that political power and economic wealth are not the sole prerequisites to gain greater autonomy from the center. The divide and rule policy applied by the center, on one hand, and the Bashkort political elites' ability, and success to manipulate the weaknesses of the center provided Bashkortostan with a privileged position in the Federation together with Tatarstan vis-à-vis other republics and regions of the federation.

Thus, it could be concluded that the type of federal bargaining that the federal center had with the regions contributed to the development of asymmetrical federalism in post-Soviet Russia. In line with the central hypothesis of this thesis, the analysis of Moscow's federal negotiations with Tatarstan and Bashkortostan supports the conclusion that the general bargaining strategy of the Russian federal centre

sometimes involved a tactic of giving more autonomy to the weaker party in federal bargaining in order to weaken the potentially hegemonic power in its periphery.

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