



# Constitutional foundations of the Russian welfare state in the context of the 2020 constitutional reform: A comprehensive analysis

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**Abstract**— *The aim of this study is to provide a legal assessment of legal developments and establish a list of social variables required by Russian citizens. This research paper examines the features of Article 7 of the Russian Constitution, which describes the main principles of Russian government. This paper aims to provide an understanding of the importance and impact of Article 7 in the Russian political and legal environment through a comprehensive examination of its historical context, legal interpretation and practical implications. Before the 2020 constitutional changes, the declaration of Russia as a socialist country in Article 7 of the Constitution was not full of important constitutional principles. The goals of economic development related to the new Russia cannot be achieved without changing the legal framework of the activities of public institutions at all levels. During the reform process, many new legal protections were created, the government's commitment to improve the lives of the population was established, and public authorities were charged with its implementation. Based on accepted scientific methods, this work analyzes the main social events that took place during the constitutional revolution and the legal measures taken to improve welfare. Emphasis will be placed on evaluating the effectiveness of policy and legal decisions in the context of responding to the adverse effects of the COVID-19 pandemic on national economic development. The article describes the role of the head of state as a creator of legal and legal opinions that confirms the change of relations in the legal system of the separation of powers and lays the foundations for a new socio-economic strategy for the development of Russia.*



**Keywords**— *Social Welfare, Law Reform, Constitution, Reform, Economic Development*

## INTRODUCTION

Article 7 is the cornerstone of the Constitution of Russia and establishes the principles that characterize the state as a democratic, constitutional and social enterprise. This paper seeks to uncover the origins and development of Article 7 and its role in shaping the modern state of Russia. Tracing the origins of Article 7 to the drafting of the Constitution in the early 1990s, this section examines the social and political factors that influenced its introduction. The collapse of the Soviet Union and subsequent democratic reforms play an important role in understanding the context in which Article 7 was created. In January 2020, Russia and President Vladimir Putin began discussions on the

constitution, which features a series of amendments aimed at improve the balance of powers and adapting the constitution to the changes that have occurred since 1993. Putin in his fourth presidency and up to the end of the last presidency after four years, analysts said the proposed reforms will give Putin the option to continue running the country from behind Of views beyond 2024. Things got worse in March 2020 when lawmaker and former cosmonaut Valentina Tereshkova introduced a last-minute amendment. His proposal was to reset the clock on presidential terms, allowing Putin to remain president for another 12 years if he wanted. Soon after, the bill was approved by both houses of the Federal Assembly and all

Russian assemblies and 85 regional assemblies. In total, almost a third of the Constitution and its 137 articles were changed through corrections. In addition to limits on the president, it explains the actions of Russia and key institutions, and other powers for Congress. Reflecting growing nationalism and continued suspicion of Western influence, other measures barring government officials from holding foreign citizenships or bank accounts will be a priority in decisions by international organizations and ratification of traditions. Socio-economic changes include regularizing annual pensions and ensuring that the minimum wage does not fall below the poverty line. Before the amendment can take effect, it must first be approved in a national vote at a date yet to be determined. Polls show that public opinion on the changes is divided. As the economy worsens due to the corona virus crisis, the number of people with is growing. This will be an unexpected position for President Putin.

#### **The main points of Article 7:**

This section includes a detailed analysis of the four main principles described in Article 7 (democracy, democracy, rule of law, and socialism). Each principle is analyzed to show its meaning, legal interpretation and practical application in the Russian political system. **Democratic Foundation:**

By examining democratic principles, this section assesses the nature of section 7 which lays the foundations for democratic government in Russia. This paper examines electoral systems, political participation and the protection of human rights as important components of the democratic framework described in the text.

**Federalism and Regional Autonomy:** Article 7 and its emphasis on the role of the state will be closely examined to analyze its impact on the distribution of power between state and local agencies. The complexities of local autonomy and the challenges of maintaining a balanced governance structure are discussed.

#### **Rule of law and independence:**

This section examines the legal implications of Article 7, focusing on the rule of law and the independence of the judiciary. This paper examines how the legal system contributes to the legal framework that guarantees justice, equity and the protection of citizens. True Socially related countries: Analyzing the principles of social justice, this paper examines how Article 7 addresses social justice, welfare, and accountability for government and citizens. Explore the social policy implications and balancing work between economic development and social welfare.

#### **Procedure for approval of amendments to the Constitution**

The current constitution of Russia dates back to 1993, when it was approved by referendum. Apart from some minor changes in the names and number of regions of Russia, the only major change so far occurred in 2008, when the terms of office of members of the State Duma (the lower house of parliament) and the president were extended by four. To five years six years respectively. On January 15, 2020, Putin announced his plan to reform the constitution in his annual State of the Nation Address. After three mandatory readings in the Duma, the corresponding draft law was adopted on March 11 by almost unanimous votes in both chambers. In accordance with the constitution, the project was also presented to the Russian and 85 regional parliaments, which also unanimously approved it. Although not required by the constitution, the changes will be voted on nationwide (rather than in a referendum, which according to Russian law would require at least 50 percent participation for a valid result). Citizens can only vote on the whole package of changes, not on individual proposals. The vote was originally scheduled for 22 April 2020, but was postponed due to the corona virus pandemic; According to Kommersant newspaper sources, possible voting dates are June 24 and July 8. For constitutional amendments to enter into force, they must be approved by more than half of those who participated in the nationwide vote.

#### **The constitutional foundations of the welfare state in relation to the constitutional reform of 2020**

The declaration of Russia as a welfare state in Article 7 of the Constitution before the constitutional reform of 2020 was not full of real legal content. From this, scientific ideas were born to dismantle the concept of the welfare state and thus change the interaction between the state and society as a social demand. It is not possible to achieve the goals of economic development, which are important for today and for Russia, without changing the constitutional order of government activity at all levels. At the same time, their implementation is impossible without public support. In the course of the reform, several new legal guarantees were created, the duties of the state in improving the well-being of the population were strengthened, and the responsible attitude of the authorities in their implementation was ensured. It ensured constitutional initiatives with voter support, and the entire Russian electoral process left the impression of the will of the people as a final decision accepted by society as a whole. The purpose of the study is to provide a legal assessment in the context of constitutional development in connection with the preparation of a list of social guarantees required by Russian citizens. The work analyzes important social initiatives and regulations that improve the standard of living that appeared during the constitutional reform based on generally accepted scientific

methods. Special attention is given to evaluating the effectiveness of political and legal decisions in relation to combating the negative effects of the COVID-19 pandemic on the economic development of the country. The presentation explains the role of the head of state as a generator of constitutional and legal ideas, which ensured the change of relations within the framework of the constitutional power-sharing mechanism and laid the foundation for a new socio-economic strategy for the development of the country states Russia. The most important change was added by a surprise last-minute amendment by United Russia MP Valentina Tereshkova - the first woman to go into space - in the third and final reading. He alluded to the need for stability and suggested that the two-term limit of Putin and previous presidents should not count, opening the possibility for him to remain in power for another 12 years after his fourth term expires in 2024 (some Russian critics have charged that As Tereshkova is a voluntary pawn of the Kremlin-organized movement, it was suggested that she remove the name from local streets). In addition, the amendments amending 42 constitutions and 137 articles are divided into four main groups, which concern

- 1) The role of Russia and political institutions,
- 2) The sovereignty of Russia,
- 3) Socio-economic benefit and
- 4) Values.

In January 2020 speech Putin already contained the main features of the main proposals of the first three groups, but all value changes were added later by the State Duma. Institutional changes to improve the balance of power; In a January 2020 speech, Putin claimed that a better balance between the branches of power was needed; Despite the new powers of the parliament, the general tendency of the changes is to make the president even more powerful than he is now. The lifetime of the president is a maximum of two mandates (currently a maximum of two consecutive mandates). Presidential expressions held on or before the effective date of this amendment will not count toward the total. The president has additional powers over the government; he is responsible for managing this work and has the power to dismiss (currently only appoint) the prime minister. The president can also dismiss judges of the Constitutional Court and other senior judges for misconduct. Last but not least, the president has lifetime immunity and former presidents become lifetime members of the Federal Council.

**Parliament:** The Federal Council (which currently has 170 members, one from Russia and 85 from regional governments and parliaments) is joined by two new classes of senators: former presidents and up to 30 senators

appointed by the president for outstanding services to the country or society of which up to seven can be senators for life. The President consults with the Federal Council on ministerial and other important appointments such as defence, security and internal and external affairs. The State Duma approves (currently: approves) the ministers appointed by the Prime Minister and the President (except those who were consulted by the Federal Council). Parliament has the right to question the work of the government. The State Council (currently an advisory body to the president, which includes regional governors and other important persons not named in the constitution) will be responsible for coordinating state bodies and defining the main directions of internal and external policy.

**Protecting sovereignty against foreign influences:** The purpose of several changes is to protect Russia from outside influences. New presidents must live in Russia for at least 25 years (currently 10 years), without ever being citizens or permanent residents of another country. Ministers, members of parliament, regional leaders, judges and other important officials may not be citizens or residents of other countries or hold foreign bank accounts (currently: not limited). Whether the Constitutional Court decides it or not Unconstitutional decisions made by international bodies to which Russia is a party can be applied (for example, the European Court of Human Rights). Socio-economic regulations to receive state support the minimum wage must not be less than the poverty line. Pensions and other allowances must be indexed (in the case of pensions, at least once a year). According to some observers, these proposals (supported by more than 80% of respondents to a January 2020 poll) were included to ensure a positive result in the national vote. The strengthening of patriotic and conservative values, as well as the sustainability of Russia and the constitution of 1993 with its universal declarations of human rights, is very similar to that of some other European countries. On the contrary, the changes reflect growing nationalism and the rejection of Western liberal values. They emphasize, among other things, the thousand-year history of Russia and traditional ideals and beliefs. Russia is a country-shaped nation and; (although other ethnic groups have the same rights due to the state and multicultural identity). Russia protects the rights and interests of ethnic Russians living in other countries. Traditional family values, children and marriage are strongly emphasized and defined as only between a man and a woman. Separatist activities and speeches are prohibited; nor the nation and its achievements in the defence of the homeland and; become questionable. However, some of the changes reflect a forward-looking approach: the government's new priorities include disability rights, environmental protection, biodiversity, civil society,

volunteering and business (but not climate change) - all topics that have received little, if any, mention. . . , in the current constitution. Changes related to Russia When the changes were first announced in January, they were seen as paving the way for a post-Putin term a fourth at the time, what appeared to be his final - presidential term in 2024. Putin has repeatedly denied he wants to change the presidency. constitution to apply for an additional term; Speculation has therefore focused on his possibilities of continuing to lead the country from behind the scenes, perhaps as president of the Council of State, a previously obscure body intended to acquire broad but vaguely defined powers to define the country and its political direction. Valentina Tereshkova and the last-minute change mean the door is still open for Putin to remain president. However, it is not yet clear whether he will take advantage of this opportunity. The new provisions, which give him immunity for life and a seat in the Bundesrat, provide a convenient way out if he decides to retire (he will be 71 when the current president's term ends). Other proposed institutional changes do not seem to change much. Putin initially proposed to strengthen the Duma by allowing it to appoint a prime minister; however, it is unclear how the State Duma; the president and the candidate differ in both giving consent. In any case, such adjustments are pointless, as long as the parliament and other institutions are controlled by Putin loyalists. The provision, which gives Russia and the Constitutional Court the final say on international decisions, only reinforces an earlier law passed in 2015; since then, the court has overturned several decisions of the European Court of Human Rights. The president's power to remove federal judges is a blow to the independence of the judiciary, but in practice it is already seriously threatened. Then again, Russians already have a minimum wage above the poverty line and indexed pensions – although pensioners can at least take solace in the fact that the government no longer has the power to refuse indexation during an economic crisis, as it did in 2016. In 2014, the Russian Criminal Code prohibits publicly claiming to violate the territorial integrity of Russia or lying about the history of the Second World War of the Soviet Union, so the relevant provisions of the Constitution do not bring anything new. References to God and; those who make up the country and; Russian-heterosexual marriages have no direct legal effect, but they have upset non-Russian minorities and may further stigmatize the country and its troubled LGBT community. On the other hand, there are positive references to traditionally neglected areas such as environmental protection (the most supported amendment according to one poll) and disability rights, perhaps reflecting a change in mindset.

All these comments had no legal consequences. However, things changed on January 15, 2020. In the annual Presidential Message to the Federal Parliament, the President announced the need to amend the Constitution in the following 7 paragraphs.

First, international law and decisions of international organizations must not have priority over the Russian Constitution and can be enforced in Russia if they do not conflict with the Russian Constitution. This means that the Russian authorities (i.e. the Constitutional Court) must decide whether Russia will implement the decisions of international courts or refuse to do so.

Second, civil servants must meet a number of requirements and restrictions, namely they do not have a foreign residence permit or citizenship. At this point, Vladimir Putin uttered a rather ambiguous and enigmatic sentence: "I know that people are discussing the provision of the Constitution, according to which one person cannot hold the office of President of the Russian Federation for two terms in a row." I do not consider this a fundamental issue, but I still support and share this point of view. Later, this point became the most discussed topic.

Thirdly - a new principle of unity of public administration should appear in the constitution, which unites the autonomy of the municipality and the state instead of their two divisions. In the same passage, Putin proposed that the constitution should ensure at least a bare subsistence as a social security measure.

Fourth - referring to the need to strengthen the role of regional governors, the president proposed to include the Council of State (a negotiating body consisting mostly of regional governors) in the text of the constitution.

Fifth - the State Duma should not have the power to confirm, but to appoint the prime minister and all cabinet members, although "Russia must maintain the status of a presidential republic", the president should also retain the power to set goals. Board policy and release all board members.

Sixth, the President shall appoint the heads of the security agencies after consulting the Upper House (Federal Council).

Seventh - The federal parliament should have the power to impeach the president, the constitution and, on the proposal of a judge of the Supreme Court, a judge for misconduct that offends honour and dignity. The Constitutional Court, which only had the right to carry out successive constitutional supervision, must be authorized to verify (at the request of the President) the constitutionality of laws passed by the Federal Assembly before the Head of State signs them. Russian public opinion on the changes is

divided. Putin and his approval ratings have declined significantly since 2018. According to the Levada Center, an independent pollster, in February 2020, 46% thought he should step down in 2024, while 45% wanted him to stay. More and more Russians believe that the purpose of the changes is to keep Putin in power (47% of respondents) rather than to improve the constitution (44%). However, opinion polls also show that the majority do not see him as a reliable alternative, and three quarters agree with Putin that the country needs a strong hand. According to recent surveys by various sources, including Levada, more than half of Russians plan to participate in the national vote. There are more supporters of the changes than opponents, but if about a quarter of the respondents are undecided, the result is not predictable (if the vote goes well enough, which is not a given in Russia). The expected dramatic drop in living standards and higher unemployment from the corona virus crisis could trigger a protest vote that would be an unprecedented setback for Putin. In March, a petition signed by more than 18,000 journalists, researchers and writers condemned the reform as an illegal confiscation against the constitution. However, the demonstrations were suppressed even before the corona virus crisis made public gatherings illegal; an online protest on April 28 generated little interest (only 50,000 views). With almost half (45%) feeling that the constitution is either pointless or just a tool for Putin to control parliament, many seem to agree with opposition activist.

### CONCLUSION

In conclusion, this study provides a comprehensive understanding of Article 7 of the Russian Constitution. By explaining its historical context and dissecting its central principles. This article contributes to a nuanced understanding of the constitutional foundations forming the Russian state by explaining its historical background and analyzing its central principles. The effect of Article 7 goes beyond legal texts and affects the socio-political structure and democratic aspirations of the country. Russian public opinion on change is divided. A growing number of Russians believe that the purpose of the amendments is to keep President Putin in power (47% of respondents) rather than to improve the constitution (45%). But polls also show that a majority do not see Mr Putin as a credible alternative, with three-quarters agreeing that the country needs strong support has been done.

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