CHAPTER THREE

GROWING RÉALISATION FOR DECENTRALISATION AND NEED FOR CHANGE IN THE FEDERAL STRUCTURE IN THE SOVIET UNION, 1977 - 1985
1977 came down in the history of the USSR as a year of noteworthy events - the sixtieth anniversary of the Great October Socialist Revolution, and the adoption of the fourth and the new Constitution of the Union of the Soviet Socialist Republics. Like its predecessors, it was said to mark a specific stage along the road to socialism and communism. The RSFSR Constitution of 1918 established the dictatorship of the proletariat, the USSR Constitution of 1924 was the first of the multinational Soviet State, the 1936 'Stalin Constitution' confirmed the liquidation of the exploiting classes and the victory of socialism. The 'Brezhnev Constitution' of USSR of 1977 was spoken of in Soviet history as the Constitution of Developed Socialism, thus fixing in the law the building of a developed socialist society in the USSR.\(^1\) As L.I. Brezhnev, the General Secretary of the CPSU Central Committee and Chairman of the Presidium of the USSR Supreme Soviet, stated at the Extraordinary Seventh Session of the Supreme Soviet of the USSR:

"A new historical landmark in our advance towards communism... the building of a developed socialist society... has been constitutionally confirmed."\(^2\)

The new Constitution was begun under Khrushchev in 1962. The motivation for this revision was to codify changes that had taken place in Soviet society during the past four decades since the adoption of the 1936 'Stalin' Constitution, which affected all aspects of social life of the people of the USSR. Concretizing the fundamental changes that affected all aspects of social life, Brezhnev, at the May Plenum of the CPSU Central Committee observed that:

"In the first place, a significant change has taken place in the economy of the country, in which socialist property is now totally dominant. Second, changes have occurred in the social structure of Soviet society. As a result of the coming together


\(^{2}\) "Extraordinary Seventh Session of the Supreme Soviet of the USSR, 1977, Documents and Materials (Moscow; Progress, 1977)."
of nationals and nationalities, a new historical community of Soviet people has emerged. In the third place, with the building of developed socialism, with the shifting of all sections of population to the ideological and political positions of the working class, the state of the proletarian dictatorship has become the state of the entire people. Fourth, the international position of the Soviet Union has changed significantly. Socialism has been transformed into a world system .... The authority of the land of Soviets has arisen immeasurably, and it influences the progressive development of international relations and the strengthening of peace. 3

However, the new document was left unfinished when Khrushchev was removed from power. The new regime did not resume work on the project immediately, in part because of efforts to distance itself from Khrushchev, but also because an appropriate ideological framework and formula had not yet been developed. Clearly, this could not be the "Constitution of the all-out building of Communism" since this would have emphasized the continuity between the two regimes. As Soviet Constitutions traditionally signalled attainment of a new stage of development, there was little chance of a new Constitution being adopted until 'developed socialism' became an integral and official part of the Soviet ideology. 4

On comparing the 1977 Constitution of the USSR with previous Soviet Constitutions, the elements of continuity were the most important features in which its political, ideological and theoretical significance was vividly manifested. This included the following:

a) the sovereignty of the working people; the strengthening of the alliance of the working people, headed by the working class;

b) the leading role played by the CPSU in the state and society;

c) the undivided sway of the socialist social property based on the state (public) property; the basic principles of socialism: *"From each according to his ability, to each according to his work"*;

d) the exercise of the state authority by the people through the Soviets; the accountability and subordination of other state agencies to the Soviets;

e) the broad and guaranteed nature of the basic rights and freedom of citizens, and the inter-relation of the rights and duties; and

f) the development of national relations on the principle of socialist internationalism.⁵

These provisions that existed in the former Soviet Constitutions were enriched, supplemented and elaborated upon more thoroughly in the 1977 Constitution. Thus, as it is evident, the 1977 Constitution contained a precise characterization of the political system that embodied the Soviet peoples' power. Its basic institutions were the socialist state of the entire people, the CPSU, mass social organisations, and labour collectives. The principles that predetermined the functions of the basic components of the political system and the character of the political relations were democratic centralism, the control of the society by the Communist Party, socialist legality, and socialist federalism.

The new USSR Constitution was the result of the great effort on the part of the CPSU Central Committee, its Politburo, and the Constitution Committee, headed by L.I. Brezhnev. It was a major contribution to developing Marxist - Leninist theory on the state and the political system under socialism, on the nationality question, and

the status of the individual in the developed socialist society. The adoption of the 1977 Constitution was an important landmark in the country’s political life. This Constitution revealed, deeply and comprehensively - the essence of the socialist state of the entire people, its supreme goals - the building of a classless communist society - and its main task.

The major emphasis of the innovations that the USSR Constitution of 1977 brought into the life of the Soviet Society was expansion and deepening of socialist democracy. The state of the entire people was a state of genuine democracy. Democratic principles in the formation and activity of the Soviets were further developed. The federal form of the state was preserved; and a truly democratic combination of common interest of the USSR as a whole and interest of each Union Republic was assured. The democratic principles of the organisation of the state apparatus and the management of socialist production were improved.

The USSR Constitution of 1977 characterized the USSR as an integral unitary, federal, multinational state formed on the principle of Socialist Federalism, and thus introduced a new dimension of federalism. The definition of the Soviet federal structure according to the ‘Article 70’ of the new Constitution confirmed and developed the description of the USSR, given in the previous Constitutions. It had certain prominent features:

a) the constitution mentioned that the USSR was an association of the Soviet republics, and hence the whole federation was based on the Soviet power;

b) these were the national republics; for the federation was based on the principle of the free self-determination of nations;

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c) the USSR was formed and continued to exist on the basis of the voluntary association of the Union Republics;

d) wide use was made in the USSR of autonomous forms of the statehood.8

But this Constitution, which in several aspects closed the gap between the democratic provisions of the 1936 Constitution and the realities of the Soviet political system, de-emphasized federalism and correspondingly increased the emphasis on centralism. Retaining the contradictory position and provision that both the Union and its constituent members possessed sovereignty, the text clearly stressed that the powers of the Union were superior. Most important in this respect was the list of the powers of the Union in ‘Article 73’, which concluded with a new provision granting the federal organs of the government the open-ended power to decide "other questions of all-Union importance".9

However, as a federation of a new type, the USSR combined the ‘international’ and the ‘national’. The international essence of the federal state was creatively combined with the national principles of its construction. In accordance with this principle, the subjects of the federal state were the national state formation - its constituent republics. The establishment of the statehood within the framework of the Soviet federation made it possible for many nations and nationalities to come directly to socialism, bypassing capitalism.

Thus, the federative structure of the Soviet State ensured state-legal equality of all nations and nationalities forming it and was, at the same time, of uniform

8 Topomin, n. 5, p. 151.
9 Sharlet, n. 4, p. 99.
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multinational character, that is, a dialectical combination of the particular i.e. national and general i.e., international. Speaking about the draft of the new constitution of the USSR, Leonid Brezhnev noted:

"On the whole the question of the national state structure in the draft ensures a genuinely democratic combination of the common interests of the multinational union and the interest of each of its component Republics and ensures the all-round development and a further drawing together of all the nations and nationalities of our country."  

This was reflected, among others, in Articles 19, 34, 36, 64 and 70 of the Constitution of the USSR.

According to the Constitution of 1977, the USSR was a federal state constituting 15 national republics. The Constitution of 1936 had also enumerated fifteen Republics but later another Republic was created in Kerelia and by the amendment of 1946, the Kerelo-Finnish Republic was added as the sixteenth Republic. In the Constitution of 1977, the Kerelo-Finnish Republic ceased to exist. In the USSR, the national Republic was the highest form of state organisation accessible to Soviet Nationality. In addition, there were other territorial units, such as Autonomous Republics, Autonomous Areas, and national Districts. Finally, there were National groups without their own territory, such as Germans, Jews, Poles and Crimean Tatars.

To a political scientist what transforms a 'State' with a generally applied pattern of regional autonomy into a federal state is the entrenchment of the autonomy in such

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a manner that the federal authorities may not change the status of the autonomous units, the members of the federation, without a measure of substantial agreement by the latter. This condition is sanctioned by the provision that most of the politically active inhabitants of the autonomous units, or their representatives, or a federal agency so constituted as to represent more particularly the autonomous units, must get their consent to the proposed change by a very substantial majority before the change will come into effect. Hence, the increased importance of the "Upper House" or "Upper Chambers" in federal states, are supposed to represent the members of the federation.

From a less formal point of view, a federal state will be one in which the central authorities will not make major policy decisions except with due regard to the wishes and interests of the constituent members of the federation.\(^\text{13}\) Federation in this latter sense, to borrow an expression of eminent political scientist, Carl J. Friedrich, "is a process rather than a state of affairs".\(^\text{14}\) These broad generalisations on the theory of federalism incorporate both the elements of centripetal and centrifugal forces inherent in the working of the system, and which exhibited itself well in the practice of federalism in the Soviet Union.

CENTRIFUGAL AND CENTRIPETAL TENDENCIES IN THE SOVIET FEDERALISM

Centrifugal Elements and Tendencies

In the political aspect, the "Socialist Federalism" laid stress, among other things, upon national self-determination, voluntary nature of the association, and equality of the constituent Republics. This concept of voluntary association and self-deter-

\(^{13}\) Benjamin Akzin, State and Nation (London; Hutchinson University Library, 1964), pp. 148-49.

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...mination of equal Republics was carried to its farthest limits. If the American federation is 'an indestructible Union of the indestructible states', the USSR was, in theory a 'destructible Union of the indestructible Republics'. The high watermark of free self determination of the nations and of a Sovereign Soviet Socialist State, which every Union Republic was deemed to be, was that a constituent unit came into the federation completely voluntarily and remained within the federation on an entirely voluntary basis. According to the Constitution a sovereign Union Republic meant that a Republic would unite with other Soviet Republics, and that each Union Republic would retain the right of freely receding from the USSR. This was affirmed in the Constitutions of every Union Republic separately. So long as a Union Republic remained within the Union, both its territorial integrity and its sovereignty were guaranteed. The territory of the Union Republic could not be altered without its consent and that the boundaries of the Union Republics could be altered only by their consent and mutual agreement subject to ratification of the USSR.

While secession was the ultimate reserve power of sovereignty, the continuous use of sovereign power, which a Union Republic would be able to make, was in the sphere of external relations. A republic had the right to enter into relations with the foreign states, to conclude treaties and exchange consular and diplomatic representatives with them and take part in the work of any international organisations.

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15 Banerjee, n. 11, p. 127.
16 Article 70.
17 Article 76.
18 ibid.
19 Article 72 - [It corresponded to Article 17 of the 1936 Constitution which said, "The right to freely secede from the USSR is reserved to every Union Republic".]
20 Article 78.
21 Article 80 - [It corresponded to Article 18 of the 1936 Constitution which, however, did not mention international organisation, but in the exercise of this right, the Ukrainian Republic and the Belorussian Republic became original members of the UN with USSR].
Centripetal Forces

In a federation, there comes a stage where centrifugal elements get exhausted and centripetal elements emerge, so that a united constitutional and political structure can remain in operation. The Constitution of the USSR provided for a built-in system of effective federal control over the Union Republics in extensive areas of governmental responsibilities.

Interpretation and observance of the Constitution: The guardianship of the Constitution was not vested in the Supreme Court of the USSR. The Court did not have the power of judicial review, could not give and enforce any particular interpretation of the Constitution and could not declare any executive or legislative act of the Union or of a Union Republic to be ultra-vires. The Soviet federation did not envisage any lawsuit between the Centre and the State over any matter of the jurisdiction. It was the Union which was entrusted with the control over the observance of the Constitution of the USSR. The Presidium of the Supreme Soviet of the USSR was empowered to ensure the observance of the Constitution of the USSR and conformity of the Constitutions and the law of the Union Republics to the Constitution and laws of the USSR, and to interpret the laws of the USSR. Executive decisions and the "decrees and ordinances" of the Council of Ministers of the Union Republic would, if they failed to conform to the law, be revoked by the Presidium of the USSR; they did not await any judicial denunciation.

Imperspicuous distribution of power and responsibility: The Constitution had assigned to the Union the most substantial and vital powers and left to the Union Republics responsibilities of comparative importance. Some of the parts of 'Article

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23 Article 121 (4) ['Observance and Supervision' of the Constitution was added to the 'Interpretation' of the constitution existing in 1936 Constitution]
73', which enumerated the matters of Union jurisdiction, were so broadly worded so as to give indeterminate powers in the relevant matters to the Union. For instance, *part 3* mentioned the "establishment of general principles for the organisation and functioning of republican and local bodies of state authority and administration". New bodies of state authority and administration comprised Council of Ministers, Executive Committees, or State Committees. The general principles for the organisation and functioning of these governmental bodies from the level of a Union Republic down to that of a Region, and even below, were to be formulated by the Union, and the connotation of the term *general principles* was anything but precise. Similarly, large and indeterminate was the power of the Union to ensure *uniformity of legislative norms throughout the USSR* and to establish the *fundamentals of the legislation of the USSR and Union Republics*. The compass of the power was to the discrimination of the Union, as both *legislative norms* and *fundamentals of legislation* were imprecise terms.

**Unequal Economic Powers and Planning Process**: The division of resources of revenue between the Union and the Union Republics was not specified by the Constitution. Rather, 'part 6' of the 'Article 73' induced the *determination of the Taxes and revenues forming the budget of the USSR* within the jurisdiction of the Union. Albeit a Union Republic framed its own budget, it was a subordinate budget *lacking*, as it did, in any substantial independent sources of revenue and taxation of its own. It was recognised in the Constitutions of the Union Republics that Union laws could settle sources of a Republic's resources. It was the jurisdiction of the USSR which extended to the drafting and approving of the consolidated budget of the USSR.²⁵

Concentration of economic powers in the hands of the Centre also resulted from exclusive powers of the Union to pursue a uniform social and economic policy,

²⁵ Article 73, part 6.
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direct the country’s economy, draft and approve government plans for economic and social development of the USSR and to endorse reports on their completion. Although, endorsement of the state plans for economic and social development was included within the competence of the Union Republics, the latter’s social and economic planning had to be in conformity with the Centre, for Centre had enough powers to make its decisions and ordinances effective throughout the USSR.26

The exclusive powers of the Union over the management of a single monetary and credit system, and over the formulation of prices and wage policy was another centralising element. When taken in conjunction with the power of the Union of determining taxes and revenues forming the budget of USSR, the basic economic functions of the Union constituted a formidable weapon in its hand to control the entire economic life of the country. It was inevitable in a socialist federation, which the USSR was, since socialist federation had to have an instrumentality of realizing the socialist economy. ‘Politics and economics in the Marxist thought are intertwined’; as such, the political system had to be fashioned to realize the objectives of socialism. A political system which failed to achieve the purpose of socialist economy was useless to a society based on the Socialist principles.27

Administrative Centralization: The centralization of economy was matched by legislative and administrative centralization. The Presidium of the Supreme Soviet of the USSR was empowered to ensure conformity of the laws of a Union Republic to the laws of the USSR. Again, the Council of Ministers in a Union Republic issued its decisions and ordinances on the basis not only of the laws of the USSR but also of decisions and ordinances of the Union Council of Ministers, which in the matters of the jurisdiction of the Union could suspend any decision and ordinance of the Council of Ministers of the Union Republics.28

26 Unger, n. 22, p. 211.
27 Banerjee, n. 11, p. 133.
28 Articles 131 (1), 133 and 134.
Amendments of the Constitution: Since the Constitution of a federal state was in the nature of a compact among the States themselves and between the States and the Union, a federal Constitution could be amended by only a joint effort of the States and the Union, and not by either of the two alone. But, the Constitution of the USSR could be amended by a decision of the Supreme Soviet of the USSR and no ratification by the Supreme Soviet of the Union Republics was necessary.

Foreign Relations: In the context of powers given to Union Republics by 'Article 80' "to enter into foreign relations, conclude treaties with foreign powers, exchange diplomatic representatives with them, and take part in the work of international organisations," the power conferred upon the Union was of special importance. It was the Union which was empowered to establish the general procedure for, and co-ordination of, the relations of the Union Republics with other States and with international organisations. The power to establish general procedure for the foreign relations of Union Republics and co-ordinate those relations was quite comprehensive serving as a strait jacket into which foreign relations of the Republics had to fit. Variation was possible in only the comparatively superficial matters. What 'Article 80' had given with one hand, 'Article 73' had already arranged to take away by the other. It was not possible for the Union Republic to follow an independent line in foreign relations which was at variance with the course charted by the Union.

Judicial Centralisation: Centralization was also embodied in the highest level of the judiciary. The Supreme Court of the USSR, whose organisation and functions were defined by the Union law and which was elected by the Supreme Soviet of the Union, supervised the administration of justice by the courts of the USSR and

29 Article 174.
of the Union Republics. The Procurator’s office was also a powerful instrument of centralized control and supervision. 30

The above discussion makes it clear that the creation of the USSR as a federation of ethno-territories had been viewed as a clever solution to the centrifugal forces inherent in multi-ethnic states, in this case facilitating the perpetuation of the territorial integrity of the former Tsarist empire while allowing for the overt expression of ethnic political autonomy. The Brezhnev period as a whole saw the strengthening of ethno-federalism as a dominant mode of managing the national question.

The centralizing ethos, however, ensured that the republican powers were left vague while those of the Union were consolidated, especially in the economic affairs. The institutional groundwork was laid for the ‘drawing together of nations’ (sblizhenie) to be followed by ‘merger of nations’ (slianie). The federal structure was retained as a concession to national feelings and did not contradict the goal of integration. 31

The situation during the Brezhnev era may be characterized as one of the organised consensus. 32 It meant a ‘political compromise between the state and the people’ in which social groups accepted the existing distribution of power and their estrangement from the decision making process in exchange for their job security, workers’ rights, upward mobility, and a slow but steady rise in living standards.

30 Article 153.
32 Victor Zaslavsky, ‘Introduction’, n. 12, p. VIII.
DEBATE OVER NATIONALITY POLICY AND FEDERALISM: 1970-1977 (BREZHNEV PERIOD)

Brezhnev first called for a new Constitution in his December 1972 speech on the 'Fiftieth Anniversary' of the USSR. Stressing the need for a Constitution of 'Developed Socialism', he emphasized that the "Soviet Union had been the first country to attain socialism and the first to take practical steps towards the attainment of Communism". Although, Brezhnev informed that the document would be ready for approval by the 1976 Party Congress, the new Constitution was in fact not published until 1977. The gap of five years between Brezhnev's speech and final acceptance of the Constitution was the curiosity of his time. This brief pause was possible, as a Western commentator Robert Sharlet suggested, because of the "lower overall priority placed on the project by Brezhnev himself", although Sharlet also pointed out that the drafting process was well underway already in the late 1960's. Available evidence suggested that a more likely cause for the delay was the lack of consensus on the nationalities issue, and fundamental questions of federalism, for many specialists and officials interpreted Brezhnev's statements on the nationality policy as containing an implicit threat to the federal structure of the USSR.

The issue languished until Brezhnev's 1972 speech, which sparked a renewal of the debate over federalism that had occurred under Khrushchev. In the earlier debate, those who supported abolishing the federal structure argued that there was no real need for constitutional guarantees on the role of the national republics and that

34 Sharlet, n.4, p. 5.
elimination of republic boundaries was a prerequisite for the "withering of the state" predicted by Lenin. Those supporting Soviet federalism, in contrast, emphasized the political desirability of maintaining the federal structure which had proved to be a reliable and convenient way of administering the broad expanse of the Soviet territory.36

The discussion over the federalism in the 1970 were not as visible as the earlier debate. This was due to the fact that Brezhnev himself did not mention federalism in any speech prior to 1977. But enough evidences exist to confirm that federalism was a vital issue. In this regard, in one of the articles, A.I. Lepeshkin, a renowned Soviet thinker on federalism advocated the 'continued autonomy of the national republics in decisions regarding purely nationality or regional matters'.37 In 1973, Victor Shevtsov, another political scientist, described the concept of national sovereignty as being inseparable from that of national equality. He pointed out that the sovereignty of each nation was essential in determining the socio-economic, political, and the state structure of the society.38 While not directly attacking Brezhnev, who did not publicly endorse the elimination of the public structure even in his strongest assimilationist statements of 1971-1972, these specialists did imply their disagreement with the assimilationist tone of Brezhnev's speeches. Other commentators were not open about their feelings.39

37 A.I.Lepeshkin, "Osnovnye printsiipy sotsialisticheskoi avtonomii i ikh osushchestvlenie v. SSR" (Fundamental Principles of Socialist Autonomy and its Implementation in the USSR), Sovetskoe Gosudarstvo i Pravo (Moscow) no. 11, 1972, pp.18-25; as cited in Thompson, n. 35, p.85.
In 1975, when the internal debate over federalism had probably reached its peak, Lepeshkin in another article provided several reasons for preserving the federal structure, pointing out further economic integration of national republics, the control of nationality "feelings", and the continued development of language of various nationalities. He also cited the main trends of federalism under the developed socialism. Lepeshkin advocated both increased autonomy and increased centralization in nationality policy. His dialectical formulation was the essence of a Leninist compromise on the question of federalism: the federal structure would be maintained but not at the expense of central control over all the major policy areas.40

Brezhnev finally addressed federalism in his May 1977 speech announcing completion of the Draft Constitution. He assured the Central Committee that the basic characteristics of the federal structure had completely justified themselves, adding that there was no need to modify the existing federal structure. 41

In his October 1977 Constitution speech, Brezhnev criticised ‘some comrades’ for their suggestions about limiting the sovereignty of the national republics:

"In the USSR, as is known, a new historical community of people has been formed - the Soviet Nation. Some Comrades - very few, to be sure - came to incorrect conclusions about this. They have suggested, including in the Constitution, the concept of a unified Soviet nation, to liquidate the Union and autonomous republics or to sharply limit the sovereignty of the union republics by rescinding their right to secede from the USSR or to conduct foreign relations."42

40 A.I. Lepeshkin, "Sovetskii Federalizm v Period Razvitogo Sotsializma" (Soviet Federalism in the Period of Developed Socialism) Sovetskoje Gosudarstvo i Pravo, no. 8, 1975, pp. 3-13, as cited by Tadevosyan, n. 10, 140-42.
For Brezhnev to include so much detail about the debate over federalism was unusual, and added support to the interpretation that federalism was the main stumbling block to the acceptance of the Constitution. Brezhnev used his Constitutional speech as a form of self-criticism. The highly assimilationist nature of his remarks between 1967-1972 suggested that Brezhnev himself was 'one of the comrades' favouring dissolution of the federal state structure. The resulting compromise suggested that the consensus of the leadership on the nationality question had to be much broader than on the other questions addressed.

In the broadest terms, this suggested that a new definition of power had emerged in Soviet politics. Whereas Stalin and Khrushchev had been able to improve their nationality preferences, Brezhnev was stopped soon after he strayed from the consensus position.\(^{43}\)

Analysis of the course of the development of the Constitution makes it clear that, the Brezhnev Constitution was not merely a legal-political instrument of organising the state structure and detailing power distribution; it was also an instrument for effectively realizing the ideological base of the State. The principle of socialist federation laid stress not so much upon how to safeguard the division of political power between the centre and the states or how to keep the organs of the Government within their respective limits or even how to ensure the political rights of the citizens as upon how to organise the state structure in such a way as to enable all "the nations and nationalities" to enjoy autonomy of the government; how to build up a system of participation of the people in the task of socio-economic development from the 'grassroot' level; how to bring about organic relation between Government and the working people and between the Central and Republican Government and Soviets at every stage of the hierarchy; and how to ensure to

\(^{43}\) Thompson, n. 35, p.89, also see, Kristian Gerner and Stefan Heddlund, Ideology and Rationality in the Soviet Model: A Legacy for Gorbachev (London; Routledge, 1989) (pp. 265-69).
individuals not only the political and civil rights but also the basic economic rights which was the objective of communism to realize. In short, Soviet federalism was not merely a particular pattern of relations between a few states, or between states and the Centre based upon a particular division of power and resources; it was a part of a larger concept of Soviet democracy itself and an instrument of socialism.

DECENTRALISATION, FEDERALISM AND AUTONOMY

The Theoretical Aspect

Lexicographically, decentralisation means both reversing the concentration of administration at a single centre and conferring powers on the local government. Decentralisation involves the delegation of power to lower levels in a territorial hierarchy, whether the hierarchy is one of governments within a state or offices within a large scale organisation.

In the study of politics, decentralisation refers to the territorial distribution of power. It is concerned with the extent to which power and authority are dispersed through the geographical hierarchy of the state, and the institutions and processes through which such dispersal occur. Decentralisation entails subdivision of the states' territory into smaller areas and the creation of political and administrative institutions in those areas.

One such focus of attention is subdivisions of a unitary state. Another is federalism, which presents evidence of two of the major constitutional forms which decentralisation can take. Federalism divides political power territorially in a specific constitutional way. But in addition, each of the constituent parts of the federation may be regarded as unitary states each with its own internal system of local government.
Another aspect of decentralisation is found within national administrative agencies such as government ministries or public corporations which find it expedient to delegate authority to officials responsible for the work of the organisation in the designated areas.

The value of decentralisation has a wide appeal, regardless of ideology or political theory. As the pressures for larger organisational units, national minimum standards and central planning capabilities mount, the concern for local autonomy also grows. Concentration of power in fewer and fewer organisations, whether public or private, is the most disturbing feature of modern times. This is due to technological, organisational and political development.

Political decentralisation is usually assumed to entail democracy. However, it should be noted that political decentralisation does not logically imply democracy, even in the limited sense of accountable government by majoritarian elected assemblies. A high degree of decentralisation to an appointed state official exercising broad powers within a locality will look highly centralized from the perspective of the community. Administrative decentralization may exist with the political centralisation, and it is wrong to infer that administrative decentralisation implies some degree of political self-control among subsidiary units. Administrative decentralisation in which subsidiary units have no self-government, being governed by officials appointed by the Centre, is both a logical and practical possibility.

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44 For details, see, N. Furniss, "The Practical Significance of Decentralisation" Journal of Politics, (Texas), vol. 36, no. 4, 1974, pp.63-82.
It is thought useful to arrange the different forms which decentralization in the state can take along a continuum which represents the varying levels of decentralisation associated with different organisational and constitutional arrangements. The level of autonomy is said to range from complete independence to complete integration, as when, in theory, all administration outside the nation's capital is in the hands of field agents of central ministries. Federalism is usually regarded as a more decentralized arrangement than devolution to rural, urban, metropolitan or regional governments. 48

Federalism is thought to be a highly decentralized form of government because the main area governments receive their powers not from the national government but from the Constitution upon which the central or federal government is equally dependent for its sphere of jurisdiction. The two levels are thus coordinated and independent. 49 But at the same time, it will not be correct to conceive of federalism as simply a degree of decentralisation. It can only be applied meaningfully to federalism in matters that belong to the central government. Even then, unlike unitary decentralisation which is entirely at the discretion of the Central Government, federal decentralisation is both mandatory and guaranteed. Much more than this, however, the key to distinguishing federal systems with non-federal systems, which also have a degree of decentralisation, lies in the concept of non-centralisation by which is meant that matters belonging to states cannot ordinarily be centralised unitarily. It is this non-centralisation, which opposes decentralisation, that makes federalism a highly distinct form of decentralisation. 50 By decentralisation one means a system of dispersal of power from a central government to other units or agencies of the government. There are two kinds of decentralisation:

I)

One is what may be called discretionary decentralisation because decentralisation is not constitutionally guaranteed. Rather it depends wholly on the grace or convenience of the central authority. This is the prevalent kind of decentralisation in the unitary system.

II)

There is constitutionally guaranteed decentralisation in which dispersal of power to constituent units is obligatory. This kind of decentralisation falls in the ambit of federalism, the implication being that the regional governments' power share in a federation is relatively large compared to that in unitary states. 51

Non-centralisation is the anti-thesis of decentralisation. In the words of Daniel J. Elazar, "non-centralisation implies that no matter how certain powers may be shared by the general or constituent governments at any particular time, the authority to participate in exercising them can not be taken away from either without their mutual consent." 52

In a non-centralised system, power sharing rather than the concentration is the major principle.

The most volatile issue of federalism has been the balance of power between centre and periphery, since at stake are the resources controlled by cadres and the mobility opportunities within their communities. Party leaders have used this issue to co-opt primordial concerns for independence to instrumental demands for expanded

51 ibid., p. 85.
Republican autonomy within Soviet federalism.\(^{33}\) Expanded autonomy is one way for ethnic cadres to enlarge the resources within their control. Autonomy increases their discretion in the allocation of position of power within the republic and in the administration of educational and occupational policies. For cadres within the more developed republics that have felt most severely pinched by affirmative action, autonomy is a way to retain resources at home.\(^{54}\)

Federalism may constitute a further development of regionalism when it is thought necessary to limit the power of central government by constitutional means. It is referred to as a \textit{decentralised federalism} since it represents a move from a unitary state to one in which constituent theories are given constitutional safeguards.\(^{55}\) Federalism may thus preserve a nation against disunity and disintegration. The timely constitutional recognition of communal and ethnic diversity may preserve the state.

Most of the attention paid to the origin of federalism has been concerned with \textit{centralised federalism}. This occurs when a stronger central authority is sought by regions loosely allied in a confederation; when a more enduring union is sought; or when sovereign states seek political union, foregoing a measure of their sovereignty in pursuit of some other political objective.\(^{56}\)

Various factors lead to a number of more or less independent areas wanting to go beyond alliance, league or confederation to subordinate themselves to a federal agreement and constitution. First, there is a fear of a common enemy, either actual or potential, against which the pooling of military resources will give protection.

\(^{55}\) King, n. 48, pp. 147-49.
\(^{56}\) ibid., p. 24.
The threat posed by the capitalist states of Europe to the Bolshevik Revolution in Russia prompted a union of socialist republics. Thus, the necessary conditions for federalism are political rather than social.\textsuperscript{57} A sense of insecurity is not only important in the establishment of federations, especially when the sense of separation is stronger than the sense of the union; it is also the favourable factor in the maintenance of the federalism.\textsuperscript{58} According to American Political Scientist I.D. Duchacek, a political or ideological commitment to the principle of federation is required. The absence of a positive commitment to federation, seeing it merely as a means of mutual economic advantage, defence against a common enemy, a stronger position in international power politics, or unity in diversity, is unlikely to produce a federal union. These factors may be necessary but are not sufficient conditions for federalism.\textsuperscript{59}

Federalism constitutes a delicate balance between the autonomy of constituent territories and complete integration under a sovereign national government. Since factors generally associated with the creation of federations may prove strong enough to produce a unitary system, in a federation there must be a factor contributing to the determination of the constituent units to retain a measure of autonomy.

Politics in both federal and unitary states tend to be dominated by national political organisations with local branches seeking electoral office in national and sub-national government. Centralisation within federation may be measured by the degree to which one party controls both levels of government and how far central party leaders control party members holding office locally. William H. Riker concludes

\begin{itemize}
\item \textsuperscript{57} W.H. Riker, \textit{Federalism: Origin, Operation, Significance} (Boston; Little Brown, 1964), p. 64.
\item \textsuperscript{58} R. Dikshit, \textit{The Political Geography of Federalism} (London; Macmillan, 1975), pp. 237-38.
\end{itemize}
that in the USA, the country's decentralised party system is the main protector of integrity of the state in the federalism. By contrast, the Soviet Constitution, was extremely decentralised, albeit on paper, but this was negated by the strictly hierarchical and centralized single political party.

The Context of Democratic Centralism

Decentralisation and autonomy in the various sectors and organisations of the government machinery are important prerequisites and indispensable elements for the proper functioning of a democratic state. Under socialism there is a real contradiction between the need for the development of democracy and the need for the development of centralism. The possibility of resolving this internal contradiction of democratic centralism is associated with the gradual decentralisation of power and functions, and bringing them closer to the masses. However, as one scholar has expressed, "within the framework of socialism, including developed socialism, every socialist country is confronted by the problem of determining the measure of optional combination of the two contradictory trends at every stage, at every level."

The need for the continuous development of democracy under socialism in any socialist country is determined primarily by two circumstances: first, under socialism all working people are owners of the means of production and of all social wealth, which not only requires their growing participation in the exercise of their functions as co-owners of socialist property, but also determines their attitudes towards social production, their labour and social activism and thus the entire course of economic development of democracy. Second, socialist democracy is not only a means of economic management and development but also an independent

60 Riker, n. 64, p. 101.
61 ibid., pp.116-24; also see Duchacek, n. 59, pp.329-37.
Decentralisation and Change in the Federal Structure

value, in the sense that it is a form of expression of the will of the people regarding all the issues that are vital to them. The social qualities of man in socialist society develop specifically because of and through socialist democracy. Therefore, "the successful development of the socialist economy and the formation of the thoroughly developed person in the new society are impossible without a development of democracy that embraces ever larger masses of the working people." 63

Just as 'true democracy is impossible without socialism', as it was noted at the Twenty-fifth Congress of the CPSU, 'so is socialism impossible without the continuous development of democracy'.64

Although in the Soviet Union the power relations between the centre and the periphery were always unequal and limiting, in the seventy-four years of Soviet power the subject nationalities gained their own subsidized intelligentsia, institutionalised in republican universities and academies of sciences, as well as a new presence in their own capital cities.65 Scholars like Seweryn Bialer feel that there was a potentially dangerous dualism in a federalism which in practice denied any but the slimmest margins of autonomy to the constituent nationalities and yet provided them with the symbolic institutions and administrative framework of autonomy. Every Union Republic had the trappings of its own nationhood, which in the right circumstances formed the core of a revised independent national identity.66

Other Western Sovietologists like Richard Sakwa feel that the Soviet Constitution recognised a larger degree of local autonomy, and yet because of the superimposi-

63 ibid., p.4.
64 Materialy XXV s'ezda KPSS (Documents of the 25th Congress of the CPSU). (Moscow: Progress, 1976), p. 85.
tion of various over-lappings in administrative structures with clear demarcation of powers local autonomy was often weakened. The ministerial system, for example, was highly centralised and allowed little scope for the republican or union-republican ministries. The rights of the republics were always subordinate to the larger interests of the Soviet state. But in the other areas, the ethos of Soviet federalism was democratic centralism.

The Concept in the Brezhnev Period

While drafting the Constitution, the status of the Union-Republics, which together formed the USSR, became the most contentious aspect of the draft. There seemed to have been a body of opinion that called for the abandonment of the federal state altogether and its replacement by a unitary state. There was plenty of doctrinal respectability in such a call, not least in its reflection of one of the tenets of developed socialism, the concept of single Soviet people. It would have been most uncharacteristic of the then present Soviet leadership to have courted the risks involved in a major structural change but, the language of the Constitution clearly showed a bias towards the unitary concept. Along with the retention of almost all the formal attributes of the sovereignty of the Union Republics, there were a number of new provisions stressing the integral nature of the territory of the Soviet Union and the unified nature of the economic complexes (e.g. Article 16 and 75). "The resulting amalgam was frequently ambiguous and sometimes contradictory."68

The experiments with decentralisation and autonomy had started during Khrushchev's period. In the history of the development of the Soviet federalism,
there occurred such periods when unnecessary decentralisation caused damage to the centralised leadership. For example, in 1957, the 'Economic Councils (Sovnarkhozy) were established on the territorial principle and given charge of administering the entire production on a particular territory from children's toys to supersonic aeroplanes. The establishment of the 'Economic Councils' violated the principle of democratic centralism. Their establishment resulted in the development of "localist" tendencies. The CPSU corrected the situation by implementing the Leninist principles of territorial production and ensured a strict observance of the principle of democratic centralism.69

The economic reforms of 1965 provided a balanced and rational relationship between centralism and democracy in the leadership of economic and socio-cultural construction in the Soviet federation.70 Helene C.d' Encausse has elaborated the same view. According to her:

"when in 1957-58 Khrushchev tried to give some measures of rationality to the Soviet system by decentralising the economy, he realized that decentralization would bring about a very rapid rebirth of national aspirations. Economic nationalism developed around the Sovnarkhozes and it was very quickly commended by Khrushchev in spite of its limited character. This explained both the failures of the decentralization and the rapid about-turn of Khrushchev's nationality policy which moved from the rehabilitation of the nationalities in 1956 to a programme of unification of the USSR in 1961."71

Therefore, the USSR Constitution of 1977 created the legislative foundations for further decentralisation and socialist democracy. It was so because under socialism the level of democracy served as an index of the political, economic and cultural maturity of the society, and the further deepening of democracy was one of the main

70 Thompson, n. 35, p. 70.
areas for the improvement of developed socialism. In terms of their diversity, the extent to which they involved the public and the scale of their actual impact on the country's development, the forms codified in the Constitution, for "the working people's participation in the administration of state and public affairs and of production" had no equal in world political practices.72

The efforts at effecting reforms and improvement in the functioning of the Soviet federal structure between the late 70's and mid 80's were not so well pronounced. Same was true even for the efforts towards decentralisation. The issues regarding reforms were projected nebulously and in utmost nascency. However, these ventures did carry the seeds of future source of reforms and improvements in the federal structure. Barring a few statements delivered at various public and constitutional fora, some changes at the level of Council of Ministers and the call for more autonomy resulting in some more changes both at the Union Republic and Union levels, there were not many cognizable events marking the change.

DECENTRALISATION IN MINISTRIES AT THE LEVEL OF UNION REPUBLIC

The attempt to decentralise and provide autonomy to the various ministries was not a new experience in the post-Brezhnev period. Rather it was witnessed in vague form in the mid 1950's. The CPSU - Central Committee and the Council of Ministers, on 30 May 1956, adopted the resolution, on the placement of the Enterprises of several Economic Sectors under the Jurisdiction of the Union Republics and Implementation of the Related Organisational Measures. This resolution clearly expressed the party's policy of increasing the Union Republic's initiative in production. According to the resolution, the Council of Ministers and the Union Republics were to submit proposals to the USSR Council of Ministers

for extending the range of questions of economic and cultural development to be solved by the Council of Ministers of the Union Republics and accordingly accord greater rights to the ministries of these Republics. The Union Republics, thus, initiated measures for extending their rights.

All these developments were codified in ‘Article 77’ of the 1977 Constitution which made it a constitutional duty of the Union republics to ensure comprehensive economic and social development on its territory, coordinate and control the activities of the enterprises, institutions and organisations subordinate to the Union. At the same time, the new Constitution reflected the strengthening of the Union principles making it incumbent on the Union Republics to facilitate the exercise of Union powers on its territory, and to implement the decisions of the highest bodies of state authority and administration of the USSR.73

On closer scrutiny of the 1977 Constitution one could find the fusion of two seemingly contradictory positions - the extension of the sovereign rights of the Union Republics and their increased say in the All-Union matters. The safeguarding of their sovereign rights had been made a Constitutional obligation of the Union in the new Constitution.74

The decentralisation and autonomy efforts gained momentum during the tenure of Andropov and Chernenko. Whereas, during his fifteen months in office, Andropov replaced one-fifth of all the members of the government, Chernenko replaced only one-tenth in nearly the same length of time as Party leader. They continued with Brezhnev’s efforts towards a clear separation of Party and State functions. This was also reflected in personal terms by the lowest percentage of Party functionaries

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73 These ideas were developed by Rasma Karklins, *Ethnic Relations in the USSR: A Perspective from Below* (Boston: Allen & Unwin, 1986), pp. 206-207.
74 Article 81 (Constitution of 1977).
appointed to the Council of Ministers. The necessity for a reform of the Council of Ministers was discussed extensively under Brezhnev's successors.

THE GOVERNMENT APPARATUS UNDER ANDROPOV

In outlining the principal questions to be dealt with in the new version of the Party programme, Andropov noted that:

"The improvement of the developed Socialism should include without fail a well-conceived scientifically substantiated nationality policy. Such a policy is based on the principles bequeathed to us by Lenin: the complete equality of all the nations and nationalities in the country, their free development within the framework of fraternal union, and a steady course aimed at their convergence. The implementation of this policy requires and will continue to require the consistent instilling in all Soviet people of a spirit of socialist internationalism, and a deep awareness of the community of interests of all the peoples of the Soviet Union." 75

This called for concentrating the efforts of all peoples on the decisive sectors for the creation of the material and technical base of communism and for building-up of each republic's potential and its rational inclusion in the all-Union potential. "The strengthening of the single economic organism, the technical reequipment of the national economy and its shift to a path of intensification, the improvement of administration, the more harmonious combination of centralized planned management with local initiative, the implementation of programmes for the comprehensive development of entire regions, the creation of agro-industrial associations - all these things, while broadening and deepening the ties among nations and nationalities, were bringing great advantages to each of them and to the federal state." 76

Under Andropov two 'first' deputy Chairmen as well as one deputy Chairman of the Council of Ministers of the USSR, ten out of total sixty-four ministers, and nine out of twenty-two State Committee Chairmen were newly appointed. During his period the number of first deputy Chairman of the Council of Ministers of the USSR was raised from one to three. Under him, two new state Committees were created: one in July 1983 to supervise safety in the nuclear power industry and one for the foreign tourism in May 1985 by upgrading the INTOURIST Central Administration. The proposal by the Council of Ministers of the USSR to establish a state Committee for the supervision of safety in the nuclear power industry had already been approved by the Politburo. It was to increase reliability and safety in the nuclear power industry/plants. At the same Politburo session, the ‘Committee for Popular Control of the USSR’, reported gross breaches of state discipline by various ministries, offices and their subsidiary organisations in the planning, construction and operation of industrial projects, and of social and cultural institutions in Volgodonsk. Those responsible for these breaches were severely punished. Furthermore, three out of fifteen Chairmen of Council of Ministers of the Union Republics, who were also ex-officio members of the Council of Ministers of the USSR, were newly appointed. All told, twenty-five of 115 members of the Council of Ministers were replaced under Brezhnev’s successors.

THE GOVERNMENT APPARATUS UNDER CHERNENKO

Chernenko appointed one deputy Chairman of the Council of Ministers, eight ministers, two Chairmen of the State Committees, and two Chairmen of the Union

78 ibid., p.34.
80 Schneider, n. 77, p. 34.
Republic Council of Ministers, overall thirteen new members of the Council of Ministers of the USSR.

Quite obviously Andropov replaced more members of the Council of Ministers than Chernenko. The personnel refurbishment of the Council of Ministers of the USSR was part of the programme with which Andropov had started out. At the first regular Plenary Session of the Central Committee following his election as Party leader, Chernenko called for a more determined struggle against any breach of the Party, state and work discipline.81 Similarly, in his speech immediately upon his election as General Secretary, Chernenko emphasized that his attention was focused on improving order and discipline.82

ANDROPÖV, CHERNENKO AND THE NATIONALITY ISSUES.

In the transitional phase of the Soviet leadership, both Andropov and Chernenko, essentially continued with the policies of Brezhnev. They stated that socialism was in its developed and mature phase. In fact, Andropov said that the nationalities still required to achieve unity before the goal of 'Communist Construction' could be realised,83 and Chernenko stated that the nationality question could not be removed from the agenda of developed socialism.84

On the nationalities question, Andropov stated a position that was in line with the moderate tone of the 1977 Constitution. He called for a well developed scientifically based nationality policy appropriate to the stage of developed socialism. In his view, this had to be a direct representation of the Leninist principles of equal rights.

81 Andropov, n. 75, p. 19.
82 K.U. Chernenko, "Speech at the Extraordinary Plenary Meeting of the CPSU Central Committee", Selected Speeches & Articles (Delhi; Allied, 1984), p. 16.
for all nationalities. Chernenko, in contrast, evidently advocated an assimilationist approach to Brezhnev's position in the early 1970. Although, he never fully spelt out his programme for nationality relations, Chernenko gave a strong indication of the direction his policy would take by referring to the importance of the Russian language in education and communication. This was the old assimilationist formula. Thus, the two men had different views on this important question. Neither, however, made nationality policy an important part of their agenda for change, probably because they were not tested on this issue.

DISCUSSION FOR REFORMS OF THE COUNCIL OF MINISTERS

The necessity of reforming the Council of Ministers had been recognised in the Soviet Union and it was discussed increasingly under Chernenko. Thus, in his address to Central Committee Plenary Session of mid-February 1984, Chernenko went beyond his predecessor Andropov in stating that the system of economic management and the entire economic mechanism required a thorough restructuring. Even more specific was Minister of Electronic Industry, A.I. Shokin's lament that those ministries in charge of a branch of the economy were too narrowly specialised.

In April 1984, Soviet Constitutional expert, I.O. Bisher continued a series of essays pleading for the reorganisation of the system of ministries. The reason why Bisher pleaded for a reorganization of the Council of Ministers was because the sectors that managed the ministries were administrative sectors not corresponding to branches and sectors in the economy. Virtually no economic problem could be solved by a branch ministry if the ministry was too centralized and specialized. Consequently,

85 Andropov, n. 83, p. 86.
86 Chernenko, n. 8, p. 182.
87 Chernenko, n. 8, pp. 16-17.
89 I.O. Bisher, "Sovershenstvovanie Otraslevago Upravleniya" (Improvement of the Management of the Departments) Sovetskoe Gosudarstvo i Pravo, no.4, 1984, pp.27-34.
these questions had to be decided at the government level. This was another step towards decentralisation leading to a more functional federalism.

According to Bisher, the main tasks of a ministry also included safeguarding the interests of the state as a whole. To this end, the ministry had to be free from functions of operative economic organisation. Indeed, several ministries were little more than businesses. In the course of a reorganization they could be transformed into industrial construction, transport and/or other associations.\(^90\)

As far as autonomy in the area of rights was concerned, during the later period (1982-85) the rights of the Union Republics were further strengthened in the fields of state economics, social and cultural legislation within their jurisdiction. The Union-Republics had enacted during the last decade several new civil, criminal, procedural, land and labour laws and also law of marriage, family and public health, on the basis of the fundamental principle of the Union and the Republican legislations.\(^91\) These republican laws not only displayed uniformity on fundamental principles but also gave expressions to the specific features on the republics. The extension of the rights of the Union Republics and the enhancement of their roles in the Union together with the consolidation of the leading role of the USSR had been the key trend in the Constitutional development of the USSR.

These debates and efforts for decentralisation and autonomy were taking place although only in the discussions.

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90 Schneider, n. 84, p. 40.
DECENTRALISATION IN THE AUTONOMOUS REPUBLICS

Constitutional Development of the Principles of Autonomy in Autonomous Republics


The Soviet autonomy was built on the principle of ethnic and territorial distinctness, which meant that territories in the country which were distinguished by their ethnic composition and the way of life, by their economic structure, and by a certain degree of social cohesiveness were recognised as autonomous. This approach assured the comprehensive development of an ethnic group, including that in the political sphere. Lenin was firm in rejecting a programme of so-called autonomy of national culture for Russia, which he felt would limit the question of nationalities or ethnic groups to the areas of culture and education, and not link it to the political self-distinction of such groups. In revealing the essence of the autonomy of national cultures he characterized it as the expression of the most refined and most absolute nationalism, carried to its logical conclusion.92 The Soviet Autonomous Area was the offspring of the socialist system, which was based on genuine power of the people, socialist ownership of the means of production, democratic centralism and proletarian internationalism. Because of these, ethnic groups and people had been

able to depend not only on their own resources for economic and social development but also on the economic power of the entire Soviet state and had achieved actual equality within a historically very short period of time.\textsuperscript{93}

Decentralisation and Autonomy for Strengthening the Status of an Autonomous Republic

The new Soviet Constitution, reflecting the natural order of the development of socialism, had substantially broadened the rights of autonomous republics and their guarantees and had created new possibilities for taking into account their ethnic characteristics of the Union.

The USSR Constitution and the Constitutions of the Union and Autonomous Republics created all bases for a deeper study of the nature of the statehood of an autonomous republic. In this regard it is important to examine the dynamics of the constitutional development of the governmental and legal characteristics of an autonomous republics as a socialist state. Brezhnev noted that the USSR Constitution, \"as is also the case with the Constitutions of the Union and Autonomous Republics, reflects the most characteristic, most persistent features of the government and the whole system of social relations of Developed Socialism.\"\textsuperscript{94}

The position of the highest organs of the state power in an Autonomous Republic - the Supreme Soviet of the ASSR - had been substantially strengthened by the governmental mechanism of these Autonomous Republics, since it was empowered to resolve all problems which under Constitution adhered to the authority of an autonomous republic. The exceptional powers of the Supreme Soviet of an ASSR were confirmed not only by the Constitution of the ASSR but first and foremost by

\textsuperscript{93} L.I. Brezhnev, \textit{Following Lenin's Course - Speeches and Comments}, Vol. 6, (Moscow; Progress, 1978), p. 375.

\textsuperscript{94} ibid., Vol. 7, p.616.
the Constitution of the USSR and the Union Republics as a substantial governmental and legal guarantee of its status. 95

The sphere of subjects under the legislative initiative of the Supreme Soviet of an Autonomous Republic had been broadened. Among them, the Constitution named for the first time the Supreme Court and Procurator of the Autonomous Republics and public organisations at the republic level and corresponding bodies. Draft laws and other major governmental matters in autonomous republics were referred for public discussion at the instance of either the Supreme Soviet of the ASSR or its Presidium. New Constitutional legislation had led to the broadening of the powers of the Presidium of the Supreme Soviet. For the first time, the status of the Standing Commissions of the Supreme Soviets of Autonomous Republic had been defined by the Republic Fundamental Law. 96 The Constitution entrusted the Presidium of the Supreme Soviet of the ASSR with guiding the activity of the local Soviets. The executive and administrative bodies of the higher Soviets were prohibited from suspending the carrying out of the decisions by lower Soviets.

**Council of Ministers**: The highest executive and administrative body of governmental authority of an Autonomous Republic was its Council of Ministers - the government of the ASSR, created by the Supreme Soviet of the ASSR and empowered to make decisions on all matters of state administration laid to the authority of the Autonomous Republic, unless under Constitution they did not fall to the competency of the Supreme Soviet of the ASSR and its Presidium.

For the first time, the possibility was being considered for taking account of particular features of the autonomous republic in the organisation and activity of its government at the Constitutional level. For this purpose, in the view of the

96 Articles 103, 104 and 107 of the 1977 Constitution of the Tatar ASSR.
Chairmen of the Council of Ministers, the Supreme Soviet could include in the government of the ASSR not only the leaders of the bodies of the state administration formed by it, but also those of other organisations and bodies of republics. The coordinating and administrative powers of the Council of Ministers of an ASSR with regard to enterprises, institutions and organisations under Union and Republic authority in matter, relating to the competency of the Autonomous Republic were established under the Constitution.97

**Judiciary**: Under the new Constitution an Autonomous Republic had its own system of judicial bodies. The organisation and regulations for judicial activity in an Autonomous Republic were specified by the Constitutional legislation of the USSR, the Union Republic and the Autonomous Republic which confirmed and developed Leninist principles of socialist justice. In accordance with the Constitution the highest supervisory powers over the precise and unified implementation of laws on the territory of an autonomous republic were entrusted to the Procurator General of the USSR, of Union Republics, Autonomous Republics and other lower Procurators.98 A separate chapter was devoted to the Procurators' Office in the Constitution of the Autonomous Republics.99 The bodies of the Procurator’s Office worked closely with other bodies and organisations of an Autonomous Republic, but they carried out their functions independently of any local bodies and were subjected only to the Procurator General of the USSR.100

In other words, an Autonomous Republic had the governmental apparatus needed to carry out the affairs of the Republic. Thus, there was little autonomy to the lower level of the judiciary.

97 Schneider, n. 77, p. 45.
99 Chapter 21, Article 179; The Procuracy (1978 Constitution of Union Republics).
100 Batyev, n. 95, p. 58.
Social and Economic Autonomy

An Autonomous Republic was entrusted with ensuring the comprehensive economic and social development of its territory. To this end, in matters under its authority, it coordinated and supervised the activities of the enterprises, institutions and organisations under Union and Union Republic authority. Current and future state plans for an Autonomous Republic's economic and social development were an important tool for the implementation of such authority. It included the basic indicators of plans of enterprises, institutions and organisations under higher authority located on the territory of the autonomous republic with a view to achieving the stated goals in keeping with the Constitution of the Autonomous Republic in question. Fulfilment of the state plan of an autonomous republic was ensured by the republics' state budget, adopted, as in the case with its plans, by its Supreme Soviet.101

The main bases for ensuring comprehensive economic and social development in the territory of an ASSR were established in its Constitution. It was emphasized that the constitutions, in speaking of the fact that economic leadership was carried out on the basis of state plans for economic and social development, referred to the importance of taking into consideration branch and territorial principles of administration combining centralized administration with economic independence and initiative on the part of the enterprises and other organizations. The supremacy of the Soviets was also being strengthened in the resolution of the questions concerning comprehensive development on the territory under their jurisdiction.102

However, the legal and, in particular, procedural regulations of the processes for reviewing and resolving such matters was still weak. The decree of the CPSU

Central Committee, the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers, "On the Further Increase in the Role of the Soviets of People's Deputies in 'Economic Development', adopted on 19 March 1981, had made a substantial contribution to solving problems in this area.\(^{103}\)

Thus, it is clear that the new Constitutions and also the laws adopted to elaborate them had improved the fundamental features of different forms of autonomy, and there was hope for the free development of the Autonomous Republics, Autonomous Regions and Autonomous Areas. Emanated from these decentralisation and autonomy efforts were innumerable problems in the various nationalities. The debates pertaining to these efforts even at the theoretical plane had some bearing on not only the political life but also the socio-cultural and ethnic aspects of the people.

The Soviet developmental strategy turned around a pattern familiar in the Western developmental experience. As Earnst Gellner noted, "The age of transition to industrialism was bound also to be an age of nationalism."\(^{104}\) But the Soviet strategy delayed the political reckoning with the "age of nationalism" to a much later stage of industrialization. In the short term, this was a prudent means to avoid the simultaneous crises that could overtax the capabilities for a new polity: the Soviet regime did not confront a crisis of identity as it sought to build the foundations of Soviet power and initiate the economic transformation of the society.\(^{105}\) This strategy, nonetheless, contained the roots of its longer-term dysfunctions and in the

\(^{103}\) Batyev, n. 95, p. 65.


first one and a half decades, it had given rise to a new ethnic assertiveness and protests.\textsuperscript{106}

The Western experiments with peripheral nationalism had differed more significantly from the Soviet pattern in a second respect. In the 19th century Western Europe, according to the Western historians, Joseph Rudolph and Robert Thompson, "the most causal element giving rise to the urge for autonomy was the aggravation of a peripheral ethnic groups' marginality in, or exploitation by, the state system to which it belonged."\textsuperscript{107}

After 1990, the rise of ethnopolitics in the Soviet Union, had been most significant in the Caucasian and Baltic Republics. It was there that the demonstrations and protests signifying the unrest of the people had started taking place quite frequently. The explosion of ethnic unrest and the escalation of centre-periphery conflicts testified to the inadequate performance of the federal institutions, the breakdown of traditional channels of communication, the failure of internal bargaining processes, and the lack of appropriate mechanisms for a peaceful resolution of domestic conflicts. In brief, they were the symptoms of the crisis of Soviet Federalism.\textsuperscript{108}

Thus, the period between 1977 and 1990 was one of debates and discussions for changes and reforms in the federal structure, but not much of it was actually effected as most of the reforms suggested could not be translated into action. Due to the delay in the measures the state of the federalism, which had already started showing evidences of crisis and perilousness, further aggravated. On the eve of Gorbachev's coming to power, the problem of Union Republic relations had

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\textsuperscript{108} Alexander J. Motyl, "The Sobering of Gorbachev: Nationality, Restructuring and the West", in Seweryn Bialer (ed.) Politics, Society and Nationality Inside Gorbachev's Russia (Boulder; Westview, 1990), pp. 85-86.
\end{flushright}
acquired serious proportions, which will be analysed and discussed in the next chapter.