

The 2020 Amendments of Russia's 1993 Constitution: A Post-Colonial Interpretation

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ABSTRACT

In 2020, Russia enacted far-reaching amendments in its Constitution. The classical theory of democratic constitutionalism sees them as a roll-back into an autocratic and isolationist past, the reason of which it cannot explain. The objective of this paper is to give the amendments an additional, post-colonial reading in order to fill the gaps of the classic interpretation. Russia was a colonial power (Tsarist Russia, Soviet Union), lost this status in 1991 and has endeavoured to re-create an empire since 2000. Therefore, it can be analysed with the tools that post-colonial theory has formulated in regard to the former metropolis. This is a new interpretational framework for these constitutional amendments. The method is the legal interpretation of a constitutional text against the background of the post-colonial theory of the constitution. This post-colonial interpretation provides a coherent reading of these amendments, showing that Russia wants to re-erect its lost empire. For this purpose, it further centralises all state power in the 'strong-man president', stresses Russia's succession into the imperial tradition of Tsarist Russia and the Soviet Union, and terminates the binding force of international law within Russia. This post-colonial interpretation of the 2020 amendments of the Russian Constitution does not want to replace the conventional interpretation of democratic constitutionalism but gives an additional angle able to fill the gaps that democratic constitutionalism leaves. Furthermore, it contributes to the post-colonial theory of constitutions because it provides a case study of a former metropolis going imperial again.

Introduction

In 2020, Russia's Constitution of 1993 underwent the most extensive amendments in its (admittedly short) history.¹ These amendments have triggered a lively academic debate both in and outside Russia. The official line of the Russian President is to paint these amendments as 'business as usual' in order to veil his increase in power, and most Russian scholars follow this line, downplaying the

¹ The Russian Federation, "Constitution of the Russian Federation of 12 December 1993," 1-FKZ § (2020).

effects of the amendments.² In contrast, foreign, especially ‘Western’ researchers tend to interpret them as epochal in the sense that the post-authoritarian era is over and Russia has returned to its traditional autocracy.³ Where Russian lawyers seem to underestimate the significance of the amendments, their foreign colleagues overestimate them.

Furthermore, Western researchers interpret the amendments in the light of classic post-authoritarian democratic (liberal) constitutionalism.⁴ This theoretical tool-box can state that the new rules reinforce the autocratic, exceptionalist and isolationist elements of the constitution but fails to explain why Russia appears to give up democracy and return to dictatorship.⁵ This problem cannot be solved within the understanding and the tools of democratic constitutionalism. This paper closes that gap. Its method is the interpretation of the Russian constitutional dynamics in an additional perspective and with new tools: the post-colonial theory of constitution and law. It explores whether a post-colonial look at the Russian constitutional amendments yields a deeper insight into the phenomena that democratic constitutionalism can state but cannot explain.⁶

This paper identifies the wish to re-create the lost Tsarist-Soviet empire as one of the driving forces behind the constitutional amendments.⁷ In this line of argument, Russia tries to replace the general perception that it is one of the losers of globalisation with a more dominant role in the world.⁸

Methods

This paper follows the doctrinal approach of interpreting a given piece of legislation – here: the Russian Constitution in general and its 2020 amendments in particular – with the toolbox of the post-colonial theory of constitution and law. The conventional interpretation in the light of liberal constitutionalism does not provide

² Otto Luchterhandt, “Zwei Prominente Publizisten Russlands Über Putins Verfassungscoup,” in *Die Reform Der Russischen Verfassung* (Berlin: Berliner Wissenschafts-Verlag, 2020), <https://de.book-info.com/isbn/3-8305-5057-X.htm>.

³ Suren Adibekovič Avak'ân, *Das Wort “Macht” Sollte Nicht Erschrecken*, Jahrbuch Für Ostrecht 61 (Regensburg: Institut für Ostrecht, 2021), <https://www.ostrecht.de/forschung/publikationen/jahrbuch-fuer-ostrecht/manuskripte/>.

⁴ Ksenia Northmore-Ball and Katerina Tertychnaya, “The Long-Term Effects of Voting for Autocracy: Evidence from Russia,” *Electoral Studies* 83 (June 2023): 102618, <https://doi.org/10.1016/j.electstud.2023.102618>.

⁵ William Partlett and Herbert Küpper, *The Post-Soviet as Post-Colonial: A New Paradigm for Understanding Constitutional Dynamics in the Former Soviet Empire*, Elgar Monographs in Constitutional and Administrative Law (Edward Elgar Publishing, 2022), <https://doi.org/10.4337/9781802209440>.

⁶ Herbert Küpper, *Fit Für Den Neo-Imperialismus? Postkoloniale Verfassungstheorie Als Erklärungsansatz Der Russischen Verfassungsänderungen von 2020*, Jahrbuch Für Ostrecht 63 (Regensburg: Institut für Ostrecht, 2022), <https://www.ostrecht.de/forschung/publikationen/jahrbuch-fuer-ostrecht/manuskripte/>.

⁷ Benedikt Harzl, “Russian Foreign Policy: The Return of Great Power Politics,” *Review of Central and East European Law* 37, no. 1 (2012): 147–50, <https://doi.org/10.1163/092598812X13274154886665>.

⁸ Steve Holland and Jeff Mason, “Obama, in Dig at Putin, Calls Russia ‘Regional Power,’” *Reuters*, March 25, 2014, <https://www.reuters.com/article/world/obama-in-dig-at-putin-calls-russia-regional-power-idUSBREA2O19J/>.

answers to all the questions on the table. Therefore, the adequate doctrinal procedure is to try to apply a new perspective.

Generally, post-colonial theory,⁹ including the post-colonial theory of constitution and law, focuses on the effects of a former colonial rule on the colonised state and society, i.e. the subaltern.¹⁰ Russia, however, was not a colony but the centre of a colonial empire both in its Tsarist and Soviet phase and – this is the thesis of this paper – wants to regain this position.¹¹ The post-colonial perspective on Russia is therefore not that of a subaltern but that of a former master.

Post-colonial theory on constitution and law rarely concentrates on the effect colonialism and its end have on the former centre.¹² The transition of France from the IV. to the V. Republic in order to facilitate decolonisation gained some academic attention, and the Brexit is sometimes interpreted as the result of the imperial nostalgia of the former colonial power Great Britain. Apart from these two countries, there is hardly any literature on the impact of decolonisation on the constitutional dynamics of former colonial powers, including non-overseas colonialism such as, e.g., the Ottoman and Russian empires.

Even if there is little research on the precise mechanisms, it is obvious that the loss of an empire does not leave the former metropolis unchanged. The post-colonial perspective is therefore an adequate analytical setting for the analysis of a former metropolis such as Russia and may produce insights beyond the lens of democratic constitutionalism. At the same time, the study of Russia under the premise of post-colonialism may provide post-colonial theory with another case study, thus enlarging its scope.

Discussion

The 2020 Amendments of the Russian Constitution

The constitutional amendments of 2020, being the most extensive modification of the Russian Constitution since its enactment in 1993, changed a considerable proportion of the text. Their central element and probably driving motive was the ‘*obnulenie*’ (‘setting to zero’). The ‘*obnulenie*’ puts the counting of Putin’s presidencies back to zero. This means that the number of presidential offices of the same person,

⁹ There is not only one post-colonial theory on constitution and law, but a whole bundle of – sometimes contradicting – theories and theoretical approaches. This paper does not wish to discuss the pros and cons of the various post-colonial theories but applies a post-colonial perspective to the Russian constitutional amendments of 2020. For this purpose, it suffices to address pragmatically the theoretical apparatus developed in the context of post-colonial theories in the singular: ‘post-colonial theory of constitution and law’.

¹⁰ Philipp Dann, Michael Riegner, and Maxim Bönnemann, eds., *The Global South and Comparative Constitutional Law*, 1st ed. (Oxford University Press/Oxford, 2020), <https://doi.org/10.1093/oso/9780198850403.001.0001>.

¹¹ Stephen Morton, *Gayatri Spivak: Ethics, Subalternity and the Critique of Postcolonial Reason* (Malden, MA: Polity, 2007), <https://philpapers.org/rec/MORGSE>.

¹² Partlett and Küpper, *The Post-Soviet as Post-Colonial*, 36. with further literature on post-colonial theory of constitution and law with regard to the former colonial centre.

which Article 81(3) Russian Constitution continues to limit to two subsequent terms of office, starts to count anew in his case. As a result, Putin's former presidencies do not score, he can remain in office until 2036.¹³

Apart from the 'obnulenie', the amendments carried out numerous changes in the power arrangements and added text to some basic rights and state identity norms. Most of these changes are not new because all they did was to incorporate into the Constitution rules that had existed before 2020 in statutory law, sub-statutory norms or political practice. That may make a symbolic, but not so much a substantive difference.¹⁴

In a post-colonial interpretation, not all of these amendments are meaningful. The new or widened social rights, to give one example, are quite neutral in terms of post-colonial constitutional dynamics.¹⁵ Their main function was to serve as a bait for the people to give a positive vote in the consultation (plebiscite) on the amendments.

For analytical reasons, this paper classifies the amendments that do have a meaning in a post-colonial interpretation into three groups:

- 1) internal provisions: they regulate the power architecture in the Russian Federation, creating or reinforcing a supposedly 'strong state' embodied by a 'strong man' at the top;
- 2) external provisions: they aim at the country's position in the world and its relationship to former Tsarist / Soviet colonialism;
- 3) provisions on the position of international law within Russia: they form the link between the internal and the external provisions.

Before analysing the amendments thus classified, this paper takes a look at constitutional realities: Do we find political or factual indications that Russia is pursuing a policy to create a new colonial empire?

Post-Imperialism or Pre-Imperialism: Does Russia Intend to Revive its Empire?

The interpretation of the constitutional amendments in the perspective of post-colonialism is adequate if Russia, as the centre of a former colonial empire, can be shown not to acquiesce in the loss of its colonies but to wish to re-establish its empire. Whether Russia or, to be more precise, Russia's leadership strives to regain the old – or new – colonies is a political rather than a constitutional or legal question.

¹³ Sergej A. Denisov, "Das Wesen Und Die Bedeutung Der Änderungen Der Russischen Verfassung Im Jahr 2020," in *Die Reform Der Russischen Verfassung* (Berlin: Berliner Wissenschafts-Verlag, 2020), 30, <https://de.book-info.com/isbn/3-8305-5057-X.htm>.

¹⁴ Jakub Sadowski, "Amendments of 2020 to the Russian Constitution as an Update to Its Symbolic and Identity Programme," *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 35, no. 2 (April 2022): 723–36, <https://doi.org/10.1007/s11196-020-09802-w>.

¹⁵ Sujit Choudhry, Catherine O'Regan, and Carlos Bernal, "Constitutional Interpretation in the Third Wave: The Importance of Text and Context" (SSRN, 2025), <https://doi.org/10.2139/ssrn.5144004>.

Therefore, this chapter takes a brief look at the political course of the Russian Federation since its independence.

1) *The Yeltsin Years (1991–1999): Ending External and Upholding Internal Colonialism*

In the 1990s, Russia outwardly accepted the end of the Soviet empire, recognising the independence of the former Soviet republics and satellite states. Russia's foreign policy towards them was based on the (formal) equality of states as enshrined in international law, e.g., the Charter of the United Nations. Insofar, Russia gave up its role as an imperial power, integrating as a 'normal' state into the international community, its political and legal life.

Whereas Russia accepted the end of its outer colonialism after 1991, it opposed the decolonisation (dissolution) of the Russian Federation with political and military means, as is best illustrated by the Chechen wars and their bloodshed.¹⁶ Russia let go of its external colonies but continued to pursue a colonial regime within the borders of the Russian Federation. Just as in Tsarist and Soviet times, there is a clear difference in the post-1991 Russian Federation between the dominant ethnic Russian centre and the subaltern non-Russian periphery. The Russian dominance over its non-Russian periphery answers perfectly to the usual definitions of colonialism: the Russian centre bases its dominance over the non-Russian subalterns at least partly on racial grounds and mechanisms, and its dominance is inherently violent, as is illustrated, inter alia, by the Chechen wars. The fact that the colonised territories (periphery) are not situated overseas but adjacent to the centre does not question the colonial nature of that rule. The constitution veils this internal colonialism – for which the German language has the very appropriate word '*Binnenkolonialismus*' (internal or inner colonialism) – with language about the 'multinational people of the federation' and an asymmetrical federalism. Other constitutional text is more outspoken about the ongoing colonial nature of centre-periphery relations. The state name '*Rossiiskaya Federatsiya*' defines the federation as '*rossiiskii*' which means Russian not in an ethnic sense (that would be '*russkii*') but in an imperial tradition of a Russian state much larger than the area inhabited by ethnic Russians, and at the same time under the dominance of the ethnic Russian element. The 1993 constitution reflects this dominance, apart from the state name, in clauses on the leading role of the ethnic Russian ('*russkii*') people and the Russian (again '*russkii*') language.

2) *The Putin Years (From 2000 Until Now): The Re-Establishment of A Russian Empire*

In 2000, Putin took over the power from Yeltsin. He very soon stated publicly that he wanted Russia to be the world power the Soviet Union had been. Since 1991, Russia has fancied to be on the same level as the US and China which is, obviously,

¹⁶ Karolina Kluczevska and Kristiina Silvan, "Post-Soviet Dependence with Benefits? Critical Geopolitics of Belarus's and Tajikistan's Strategic Alignment with Russia," *Geopolitics* 30, no. 2 (March 15, 2025): 641–78, <https://doi.org/10.1080/14650045.2024.2368621>.

an illusion and an aspiration not supported by the facts.¹⁷ Unlike the super-powers US and China, Russia has no political attractiveness, little economic substance and lacks soft power – an important difference to the Soviet Union with its ‘progressive’ Marxist-Leninist ideology which could be advertised as an attractive alternative to Western capitalism. With the collapse of that ideology, the Soviet empire itself collapsed.

As set out in the previous chapter (Post-imperialism or pre-imperialism), Yeltsin’s Russia accepted the loss of the Soviet empire and was self-contained in its internal colonialism. In contrast, Putin’s Russia has aspirations that go beyond its own borders.

Inside the country, Putin soon set about centralising all power in his person by establishing the so-called ‘vertical of power’ (*vertikal vlasti*). He upset, inter alia, Yeltsin’s centre-periphery arrangements and took away from the regions the limited autonomy they had enjoyed after 1993. One result was the Second Chechen War (1999–2009) which was even more fierce than the first. Another result is the strengthening of the Russian language to the detriment of other idioms and the growing discrimination of ethnic and other minorities, the main target of which are certain Muslim peoples.¹⁸ In the context of Russia’s war against Ukraine, statistics show that conscription of young soldiers affects young Muslim men in a much higher proportion than young ethnic Russian men – who again are termed as ‘white’ (*belyi*) in contrast to the non-Russian and non-Christian parts of the population – and that the death rate among Muslim soldiers is much higher than among ethnic Russians.¹⁹ It is logical in the framework of Russia’s internal colonialism that the cannon fodder for the war against Ukraine is taken mainly from among the population of the colonised periphery and not so much of the ‘white’ Russian imperial centre.²⁰

Outside the Russian Federation, Russia started to claim the former Soviet space as its exclusive zone of influence. This is reflected in the Russian term ‘near abroad’ (*blizhnnee zarubezh’e*) for the former Soviet Union. In this ‘near abroad’, Putin’s Russia no longer accepts the former colonies’ sovereignty, as is exemplified by Putin’s demand that these countries cannot join, e.g., NATO even if they so wish, the war against Ukraine which Russia started in 2014, the presence of Russian troops in

¹⁷ Kristina Spohr and Kaarel Pürimäe, “With or without Russia? The Boris, Bill and Helmut Bromance and the Harsh Realities of Securing Europe in the Post-Wall World, 1990-1994,” *Diplomacy & Statecraft* 33, no. 1 (January 2, 2022): 158–93, <https://doi.org/10.1080/09592296.2022.2041816>.

¹⁸ Cornelia Klocker, “Punitive House Burning in Chechnya: Is Collective Punishment Outside Armed Conflict Prohibited?,” *Review of Central and East European Law* 44, no. 1 (March 28, 2019): 31–57, <https://doi.org/10.1163/15730352-04401002>.

¹⁹ Evaluations of the relevant statistical materials can be found on the websites of, e.g., the British Secret Intelligence Service (<https://www.sis.gov.uk>) or the Stockholm International Peace Research Institute (<https://sipri.org>).

²⁰ Szymon Jankiewicz, Nadezhda Knyaginina, and Federica Prina, “Linguistic Rights and Education in the Republics of the Russian Federation: Towards Unity through Uniformity,” *Review of Central and East European Law* 45, no. 1 (March 13, 2020): 59–91, <https://doi.org/10.1163/15730352-bja10003>.

Moldova and Georgia against the will of the Moldovan and Georgian governments, or Russia's role of the allegedly neutral arbiter between Armenia and Azerbaijan which Russia gave up in 2023.²¹

Beyond the former Soviet space, Putin's Russia struggles to be a world power again and, perhaps even more important, to be accepted as such. The (failed) interventions of the Russian army in Syria or Libya,²² Russian mercenaries in various African states, as well as the Russian claim that NATO must withdraw from its East European member states illustrate Russia's intentions to play an important role in world-wide international politics, including the subordination of other states' interests under its dictation.²³

All this shows that Putin wants his country to be an imperial power of global importance. Putin's and Russia's disrespect for the sovereignty of other states is colonial by nature.²⁴ Russia's colonial aspirations no longer remain within its borders but go to the outside, into the 'near abroad' and beyond. Yeltsin's self-contained internal colonialism has turned into the attempt of an expansive external colonialism. Russian's intention is to re-imperialise itself. This is well reflected by Putin's often-quoted statement that 'the collapse of the Soviet Union had been the greatest geopolitical catastrophe of the 20th century'.²⁵

The following chapters analyse if and how the constitutional amendments of 2020 help the neo-imperial aspirations of the Russian leadership.

The Internal Tools of Re-Imperialization: The 'Strong State' Topped by A 'Strong Man'

The first group of amendments, defined in the previous chapter (the 2020 amendments of the Russian constitution) as 'internal provisions', concerns the power architecture within the Russian Federation.

1) What Do the Amendments Say?

All amendments on the balance between the supreme state organs strengthen the position of the president. One example is the additional presidential power in Article 83 (as amended).²⁶ Some of the new rules *prima facie* appear to boost the role of the parliament. A detailed analysis, however, reveals that these changes as

²¹ Piotr Cap, "Narratives of Geopolitical Representation in the Discourse of the Russia–Ukraine War," *Journal of Pragmatics* 218 (December 2023): 133–43, <https://doi.org/10.1016/j.pragma.2023.10.008>.

²² David Maher and Moritz Pieper, "Russian Intervention in Syria: Exploring the Nexus between Regime Consolidation and Energy Transnationalisation," *Political Studies* 69, no. 4 (November 2021): 944–64, <https://doi.org/10.1177/0032321720934637>.

²³ Abdullah Al-Jabassini and Emadeddin Badi, "The Making of Rivals and Strange Bedfellows: Patterns of Turkish and Russian Security Assistance in the Syrian and Libyan Civil Wars," *Mediterranean Politics* 29, no. 4 (August 7, 2024): 501–27, <https://doi.org/10.1080/13629395.2023.2183663>.

²⁴ William Partlett, "Crown-Presidentialism," *International Journal of Constitutional Law* 20, no. 1 (July 27, 2022): 204–36, <https://doi.org/10.1093/icon/moac006>.

²⁵ As far as we know, it was first pronounced in Putin's Address on the State of the Nation on 25th April 2005.

²⁶ All articles quoted are of the Constitution of the Russian Federation.

well strengthen the head of state.²⁷ Thus, the new rules on the supreme federal organs concentrate even more power in the president, reducing the other constitutional organs more and more to mere props on the stage of a constitutional one-man play. It must be noted that the hyper-presidential concentration of power started under Yeltsin and was intensified by Putin even before the amendments 2020.²⁸ Thanks to these amendments, the constitution itself now spells out the super-powers of the president, adding a new quality to the until then extra-constitutional ‘crown presidentialism’.²⁹

The reinforcement of presidential autocracy over the other state organs is not the only centralisation the amendments have brought about. They also reduce the impact of federalism³⁰ and local autonomy³¹ – both institutions that, taken seriously, can decentralise political power and add more checks and balances. The amendments reduce this potential, inter alia by introducing the new institution of the ‘organs pertaining to the uniform system of public power’.³² This ‘uniform system of the organs of public power’, which is guaranteed by the president, centralises all state power on the federal level (as opposed to the federal states and local government) and within the federal level in the office and the person of the president (as opposed to other federal organs such as parliament or government).³³

This hyper-centralised power arrangement is in line with traditional Russian state philosophy.³⁴ That philosophy holds that the Russian state has to be strong in order to protect Russia from an outside world which is perceived as inimical and continuously busy conspiring against Russia.³⁵ The Russian state is considered strong if it has a strong man (not: woman) at its top, both embodying and leading the state. This was the prevalent philosophy in Tsarist times and during most parts of the Soviet period.³⁶ In reality, however, a state depending existentially from the one man

²⁷ Otto Luchterhandt, “Vladimir Putin schafft Klarheit: Präsident Russlands de facto auf Lebenszeit,” February 15, 2020, https://www.ostinstitut.de/documents/Luchterhandt_Vladimir_Putin_schafft_Klarheit_Präsident_Russlands_de_facto_auf_Lebenszeit_Teil_1_OL_1_2020.pdf.

²⁸ William Partlett, *Why the Russian Constitution Matters: The Constitutional Dark Arts*, 1st ed. (Hart Publishing, 2024), <https://www.perlego.com/book/4506399/why-the-russian-constitution-matters-the-constitutional-dark-arts-pdf>.

²⁹ William Partlett, “Russian Crown-Presidentialism,” *Verfassungsblog: On Matters Constitutional*, April 20, 2022, <https://doi.org/10.17176/20220420-182405-0>.

³⁰ See, e.g., the amendments in Article 67(1)2 and the new federal powers in Articles 71 and 72.

³¹ See, e.g., the amendments in Article 131(1.1).

³² Herbert Küpper, “The Concept of Multilayered Statehood in the System of Russian Federalism,” *Review of Central and East European Law* 38, no. 3–4 (2013): 239–66, <https://doi.org/10.1163/15730352-00000003>.

³³ Elena V. Gritsenko, “Federalism and Local Self-Government in the Light of Russia’s 2020 Constitutional Reform,” in *Dynamics of Contemporary Constitutionalism in Eurasia. Local Legacies and Global Trends* (Berlin: Berliner Wissenschafts-Verlag, 2022), https://media.dav-medien.de/sample/9783830543893_p.pdf.

³⁴ Katlijn Malfliet, *Rusland Na de Sovjet-Unie: Een Normaal Land?* (Leuven: Lannoo Campus, 2004).

³⁵ Bernd Wieser, *Handbuch Der Russischen Verfassung - Ergänzungsband Zur Novelle 2020* (BiblioScout, 2022), <https://doi.org/10.33196/9783704689559>.

³⁶ William Partlett, “Russia’s 2020 Constitutional Amendments: A Comparative Analysis,” *Cambridge Yearbook of European Legal Studies* 23 (December 2021): 311–42, <https://doi.org/10.1017/cel.2021.7>.

at the top obviously is anything but strong but the weakest and most fragile form that statehood may take. This weakness is well proven by the numerous crises of the Tsarist and Soviet reign.³⁷ Nevertheless, the need for a strong state guaranteed by a strong man is the classical Russian position, which is also the position of President Putin.³⁸

2) *How Can We Interpret the Amendments?*

This paper analyses the hyper-centralisation of all power in the president first in the light of democratic constitutionalism and then through the post-colonial lens.

a) Democratic Constitutionalism

Democratic constitutionalism interprets the concentration of all power in the head of state in combination with the reduction of checks and balances and avenues for democratic participation, as a post-authoritarian roll-back.³⁹ In this perspective, Russia tried in the 1990s to liberate itself from its Tsarist and Soviet traditions of authoritarian autocracy and create democratic constitutionalism. The Russian constitution of 1993 before its amendments is quoted as a testimony of that endeavour.

Compared to the original version of the 1993 constitution, the 2020 amendments necessarily appear as a relapse into pre-democratic autocracy. The reason democratic constitutionalism can identify is history. Ancient traditions and views on, inter alia, what a proper Russian state should look like turned out to be stronger than ‘new’, post-authoritarian, democratic, liberal and constitutional ideas. For the representatives of democratic constitutionalism, who sometimes quite arrogantly describe the way into a liberal system a necessary one-way street without alternative or way back,⁴⁰ such a relapse is an inexplicable serious set-back.

b) Post-Colonial Perspective

The post-colonial perspective draws attention to the fact that the increasing concentration of power in the president does not only intensify the autocratic nature of the regime by enhancing Putin’s personal power. In addition, it enables the Russian state to be – in the eyes of the traditional-new Russian state philosophy – an efficient tool to make imperial and super-power dreams come true.⁴¹ In the

³⁷ Markku Kangaspuro, *Russia: More Different than Most* (1999: Kikumora, n.d.), <https://cir.nii.ac.jp/crid/1130282269082123776>.

³⁸ Gerhard Simon, “Die Russen Und Die Demokratie: Zur Politischen Kultur in Rußland,” in *Politische Und Ökonomische Transformation in Osteuropa* (Berlin: Berliner Wissenschafts-Verlag, 2000), 133, <https://doc1.bibliothek.li/aau/000A093239.pdf>.

³⁹ Herbert Küpper, “The Indonesian Constitution Read with German Eyes,” *Constitutional Review* 7, no. 1 (May 31, 2021): 53, <https://doi.org/10.31078/consrev713>.

⁴⁰ J. Komarek, “Waiting for the Existential Revolution in Europe,” *International Journal of Constitutional Law* 12, no. 1 (January 1, 2014): 190–212, <https://doi.org/10.1093/icon/mou004>.

⁴¹ F. A. Gaida, “Power and Opposition in Russia in 1914–February 1917: Why Did the Dialogue Not Take Place?,” *Herald of the Russian Academy of Sciences* 94, no. S1 (December 2024): S53–63, <https://doi.org/10.1134/S1019331624700059>.

traditional-new Russian understanding, the Russian state can play an important international role only if it can act without internal obstacles and impediments. When saying ‘the Russian state can act’, this is understood as ‘the strong man at the top can act’.

In this perspective, the amendments reduce the internal constitutional mechanisms restricting the president’s freedom of external activity: separation of powers, checks and balances, federalism, local autonomy and civil society are all seen as obstacles that may stand in the president’s way. Their abolition or at least weakening is applauded as ‘strengthening’ the state, thus making it fit for playing the role of a(n imperial or colonial) centre of world-wide importance.⁴² Autocracy as the leading principle of the inner organisation of the state is seen as the prerequisite for an active and successful global role of the Russian state.⁴³

This post-colonial interpretation does not replace the prevailing post-authoritarian reading of Russian constitutional dynamics but provides an additional reading. The gradual abolition of democratic substance first in political practice and in 2020 in the constitutional text first of all serves to consolidate Putin’s personal power. However, Putin’s agenda is not limited to internal despotism. He wishes, as he himself pointed out in public on many occasions, to restore Russia’s imperial role beyond Yeltsin’s self-contained internal colonialism. He wants to be – and even more so: to be accepted as – one of the world leaders. For this external ambition, he needs to equip the Russian state with the structures it needs to be the instrument Putin wants.

Russia’s Position in the World: Imperial Past and Imperial Future

The constitutional amendments are not limited to inner power arrangements. An important set of new rules refers to the external side of Russian statehood.

1) What do the Amendments Say?

Russia’s 1993 constitution was widely interpreted as a good-bye to traditional Russian and Soviet exceptionalism and self-isolation from the world.⁴⁴ It expressed Russia’s wish to become a member of the international community, and it was aware that in order to achieve this goal, Russia had to embrace the rules of international life. Therefore, the 1993 constitution accepts the country’s convergence into international political and legal life. This text is still there, the amendments did neither repeal nor modify it, but added new text with a different impetus.

⁴² Pål Kolstø, “Authoritarian Diffusion, or the Geopolitics of Self-Interest? Evidence from Russia’s Patron–Client Relations with Eurasia’s *De Facto* States,” *Europe-Asia Studies* 73, no. 5 (May 28, 2021): 890–912, <https://doi.org/10.1080/09668136.2020.1806209>.

⁴³ Yulia Prozorova, “Democracy Revised: Democratic Imaginary and Emerging Autocracy in Post-Soviet Russia,” *American Behavioral Scientist* 68, no. 13 (November 2024): 1683–1702, <https://doi.org/10.1177/00027642241267937>.

⁴⁴ Herbert Küpper, “Russia’s Constitutional Amendments of 2020 Read through the Post-Colonial Lens : Do the Amendments Pave the Way for Russia to Become a Colonial Power Again?” (Center for Asian Legal Exchange, Nagoya University (CALE), February 28, 2023), <https://doi.org/10.18999/calealb.8.21>.

First, the new Article 67.1(1) declares the Russian Federation to be the legal successor of the Soviet Union on its territory and to continue the Soviet Union in international relations. This means that Russia now officially steps into the legal shoes of the previous colonial centre. Before 2020, it did so without express constitutional authority by, e.g., assuming the Soviet veto seat in the UN Security Council. International practice never questioned but accepted Russia's role as a political and partly legal successor of the Soviet Union. Therefore, there is no external reason to stress Russia's claim to succession to the Soviet Union. The logical deduction is that, given the lack of external reasons, there must be internal motives for introducing Article 67.1(1) into the Russian Constitution.⁴⁵

Referring to the Soviet Union as the imperial predecessor of today's Russian Federation may be read as imperial nostalgia, as a wish to continue Soviet 'greatness'. This nostalgic longing for past 'greatness' is even more obvious in the new constitutional text on World War II. Russia now undertakes to protect the memory of the Soviet or Russian victory in that war.⁴⁶ The new constitutional text does not identify the victory as Soviet or Russian but leaves the appropriation of the victory by today's Russia open to interpretation.

Second, under the new Article 69(3), Russia assumes responsibility for 'compatriots' (*'sootechestvennii'*).⁴⁷ This is the term for ethnic Russians and former Soviet citizens outside the Russian Federation.⁴⁸ 'Compatriots' are not limited to the former Soviet space⁴⁹ but may refer to Russians everywhere in the world. Before 2020, this responsibility was (and still is) enshrined in statutes. Russian foreign politics have used this care for 'compatriots' as a leverage for what Russia defined as 'humanitarian interventions' in the 'near abroad',⁵⁰ e.g., during its attacks on Georgia or in its war against Ukraine. In this argument, Russia has reverted to traditional Tsarist and Soviet exceptionalism by claiming rights for itself that it denies others: Russia asserts to have the right to intervene into other states under the title of 'humanitarian intervention' for the benefit of 'compatriots' but strictly denies the existence of the right to humanitarian interventions in international law when anybody else wants to make use of it, e.g., when Russia denied the NATO to have

⁴⁵ Alexander V. Salenko, "Völkerrechtliche Bezüge Der Verfassungsreform 2020," in *Die Reform Der Russischen Verfassung* (Berlin: Berliner Wissenschafts-Verlag, 2020), 84, <https://www.steiner-verlag.de/brand/Deutsch-Russische-Rechtszeitschrift>.

⁴⁶ Article 67.1(3) as amended.

⁴⁷ Anna Whittington, "Contested Privilege: Ethnic Russians and the Unmaking of the Soviet Union," *The Journal of Modern History* 95, no. 4 (December 1, 2023): 887–927, <https://doi.org/10.1086/727478>.

⁴⁸ Igor A. Zevelev, "Russia in the Post-Soviet Space: Dual Citizenship as a Foreign Policy Instrument," *Russia in Global Affairs* 19, no. 2 (2021): 10–37, <https://doi.org/10.31278/1810-6374-2021-19-2-10-37>.

⁴⁹ Domenico Valenza, "Russia's Cultural Diplomacy in Post-Soviet Space: The Making of 'One People,'" *Eurasian Geography and Economics* 64, no. 4 (May 19, 2023): 399–430, <https://doi.org/10.1080/15387216.2022.2025880>.

⁵⁰ Juris Pupcenoks and Eric James Seltzer, "Russian Strategic Narratives on R2P in the 'Near Abroad,'" *Nationalities Papers* 49, no. 4 (July 2021): 757–75, <https://doi.org/10.1017/nps.2020.54>.

the right to intervene in order to stop the Serbian genocide against the Albanian-Muslim population in Kosovo.

Third, new text strongly emphasises the Russian Federation's sovereignty and territorial integrity⁵¹ and the principle of non-interference in the internal affairs of the state.⁵² Although the text does not say so explicitly, the principle of non-interference in internal affairs is designed as a one-way street, fighting off foreign influence on Russian affairs, but not forbidding Russia to interfere elsewhere. This is highlighted by Russia's war against Ukraine because the reason Russia gives is that Russia needs to bring about a regime change in Ukraine, the present government being allegedly a 'Nazi' regime.⁵³

The emphasis on the sovereignty and integrity of the country is not only the basis for a more 'robust' foreign policy but serves internal purposes as well. It is designed to prevent the dissolution of the Russian Federation. This dissolution is not a question of actuality right now because since the end of the Chechen wars, there have been no more secessionist or irredentist tendencies worth mentioning. On the other hand, discontent is tangible in many regions. The Russian leadership can never be sure that no politically relevant wishes to secede from the Russian Federation will arise. The new constitutional rules clarify both to the outside world and potential secessionists within Russia that the Russian state is willing to keep its territory together. This internal aspect is reinforced by the strengthening of the role of the ethnic Russian element within the federation, combined with lip-service to the role of the other, non-Russian ethnic entities as part of the 'multinational' Russian people.⁵⁴

New constitutional rules forbid high-ranking officials to hold dual citizenship or foreign residency and to keep money and other valuables abroad.⁵⁵ Before 2020, statute contained these restrictions but arguably violated the constitution. The 2020 amendments elevated the statutory provisions onto the constitutional level, thus terminating their possible unconstitutionality. These restrictions reflect traditional Russian distrust against the outside world and reduce, in a Russian perspective, the leverage that foreign countries may have on Russian officials, thus making Russia more independent from the outside world and increasing the country's capacity to become a colonial centre again.⁵⁶

⁵¹ See Articles 67(2.1), 67.1(1), and 83 lit zh) as amended.

⁵² See Article 79.1 as amended.

⁵³ Polina Zavershinskaia, "Why Do We Need a World without Russia in It? Discursive Justifications of the Russian Invasion of Ukraine in Russia and Germany," *Nationalism and Ethnic Politics* 29, no. 2 (April 3, 2023): 129–53, <https://doi.org/10.1080/13537113.2023.2199927>.

⁵⁴ See Articles 68(1), 68(4) and 69(3) as amended. The new text, inter alia, elevates the ethnic Russians from among all other peoples of the Russian Federation, defining them as the 'state-forming people' (*gosudarstvoobrazuyushchii narod*).

⁵⁵ The general rule is laid down in Article 71 lit t) as amended. Numerous provisions throughout the constitution specify these requirements for various public offices.

⁵⁶ At the same time, these restrictions make the bureaucratic and other power elite more dependent from the president. Since 1991, this elite have kept large parts of their assets, as well as their families, abroad so

Fourth, the expansive character of the Russian Federation is intensified. Since 1993, Article 65(2) has allowed the adoption of new federal units into the federation. Russia applied this provision for the first time in 2014 when it took the Crimean Peninsula away from Ukraine and converted it into two new federal units of the Russian Federation.⁵⁷ More occupied Ukrainian territories have been annexed as federal units of Russia since 2022. A new expansive element was introduced into Article 81(2). This article contains the legal requirements for presidential candidates. The 2020 amendments ban – as was mentioned in the previous paragraph – many office holders from foreign citizenship and residence. This includes the president as well as persons running for the presidential office. In the case of a presidential candidate, this restriction includes the past: a former foreign citizenship or residence disqualify the person. However, the new Article 81(2)2 makes it clear that Russian territory that was not always part of the Russian Federation does not qualify as abroad. As a consequence, anyone who lived in Crimea before 2014 or in the annexed parts of Ukraine before 2022 is not excluded from becoming a Russian president just because these territories were annexed only in 2014 or after 2022. This rule apparently does not relate to Putin.⁵⁸ It reinforces Russia’s claim to its ‘new territories’.

Like the new text concerning the internal power arrangements discussed in the previous chapter, these amendments to Russia’s position in the world are also embedded in the traditional Russian state philosophy. This philosophy requires Russia not only to be strong, but also to be large. In order to protect the ethnic Russian centre against the outside world, the Russian state must possess or at least dominate a periphery of non-Russian territories, which is expressed by the adjective ‘*rossiiskii*’ in the state name.⁵⁹ This philosophy explains the particular nature of Russian colonialism. Russian colonies were not settlement colonies, or only to a very small extent in the narrow strip between the Central Asian drylands and the Siberian taiga forests. Nor were they a primary object of economic exploitation. At the time of their acquisition, large parts of the High North, Siberia, the Caucasian lands or Central Asia had no significance to the Russian economy, they were a burden rather than an asset. Russian colonies represented a third form of colonialism. Russia held its colonies for political and military domination as a buffer zone against the outside world which, as described before, is seen as inimical and conspiring to destroy Russia. Returning to this traditional Russian world view, it is obvious that Russia wants to widen its buffer zone. This concerns mainly the ‘near abroad’ but extends

that they could easily escape from pressure of the president by emigrating and living on their money abroad. Now, they have to hold their money in Russia where the president can take it away any time.

⁵⁷ These two units are the ‘Republic of Crimea’ and the ‘City of Federal Importance Sevastopol’, enumerated in Article 65(1) as amended in 2014.

⁵⁸ If the new Article 81(2)2 of the Constitution were taken seriously, Putin may be disqualified because of his former residence in East Germany in the 1980s: As a junior KGB (Soviet secret police) officer, he resided several years in the German Democratic Republic (GDR).

⁵⁹ See the chapter on Post-imperialism or pre-imperialism!

beyond the former Soviet space, e.g. to Eastern Europe where Putin demands that all NATO troops should be removed.

2) *How Can We Interpret the Amendments?*

First, we will look at the interpretation that democratic constitutionalism provides. In a second step, we will analyse the amendments under the post-colonial lens.

a) Democratic Constitutionalism

Read in the context of democratic constitutionalism, the new constitutional text on Russia's position in the world has an isolationist tendency, strongly opposing the post-authoritarian convergence text of 1993. Emphasising the continuity with the imperial and isolationist Soviet Union, stressing Russia's sovereignty and territorial integrity, and isolating the higher echelons of the public service from foreign contacts are measures disintegrating the country from international life. The rules on 'compatriots' *prima facie* seem to address residual questions of the dissolution of the Soviet Union into 15 successor states. Finally, strengthening the expansionist character of the federal constitution appears in the eyes of democratic constitutionalism as a violation of principles of international law, at least if the new territories are acquired against the will of the former possessor and/or the local populations, as is the case with the territories annexed from Ukraine.

For democratic constitutionalism, it is difficult to explain why Russia finds it necessary to incorporate rules on state succession and 'compatriots' into its constitution three decades after the fact – especially since both questions were settled satisfactorily for and by Russia right in 1991 and there has not been any international objection to any of these solutions. Nor can it explain why Russia elevates the ban on foreign contacts for higher state officials from statute to a constitutional level. One interpretation might be that the amendments end the existing doubts about the constitutionality of those statutory provisions. Again, the question of 'why now' remains and cannot be answered convincingly by democratic constitutionalism.

b) Post-Colonial Perspective

The post-colonial angle identifies the constitutional amendments as a re-orientation of Russia's self-definition. The 1993 constitutional text had defined the country as a self-contained, internationally integrated state that had accepted the loss of (parts of) its colonial empire. The amendments of 2020, on the other hand, paint Russia as a state wishing to re-establish its old empire and perhaps even create a new and larger one. Therefore, it steps into the legal shoes of the old empire (Soviet Union),⁶⁰ uses 'compatriots' as a leverage to interfere into other states, especially the former colonies in the 'near abroad', and at the same time strongly opposes any

⁶⁰ In the Russian debate on the constitutional amendments, the argument of linking today's Russia to the imperial traditions of the Soviet Union by including text on the state succession into the constitution was used quite openly: Avak'ân (n 2), 17.

foreign interference into Russian internal affairs. It isolates its leading civil and military service cast from foreign contacts in order to reduce the possibility of external influence on them.⁶¹

In brief, these amendments as well are designed to make Russia fit for its new role as an imperial centre. This also explains the timing. It is not unusual for former colonial centres to accept the loss of its empire in the first years or decades after this loss, but to revert to imperial nostalgia a generation or two later. This explains the timing of, e.g., the Brexit as well as of the Russian wish to return to the glory of bygone Tsarist-Soviet imperialism. This timing may be reinforced by another trend. Global economy has entered on a path of decarbonisation which reduces Russia's economic room for manoeuvre. Carbon-based energy is Russia's only serious export article. Russia will lose its export revenues with the progress of decarbonising the world economy. This may be the last moment for Russia to rise to old imperial glory; in a decade or two, it will no longer have the economic basis to do so.

The Link Between the Inside and the Outside: International Law in the Domestic Legal Space

Whereas the first two groups of constitutional amendments re-design the internal power architecture and re-define the position Russia wishes to take in the world, the third group provides for the link between these two groups: the rules on international law and its role in Russia's domestic legal system.

1) What do the Amendments Say?

The 1993 Constitution defines international law as a domestic source of law. Furthermore, it integrates the country into the international community. This text still exists, but the 2020 amendments have added a new layer with opposite contents.

The amendments of Article 79 introduced the priority of domestic Russian over international law. The new Article 79 forbids the execution of decisions that an international organ takes on the basis of an international treaty signed by the Russian Federation if that decision is contrary to the Russian constitution. The main target of that clause was the European Court of Human Rights,⁶² but it has been applied in respect to other, e.g. double taxation treaties as well. Russia notified the other parties to such treaties that it now claimed to have the right to unilaterally change them, due to the powers the amended Article 79 provides for.⁶³ This new constitutional text reverses the role of national and international law – which ultimately questions the very existence of international law which can only exist if a 'domestic exception' is not accepted, not even in the case of domestic constitutional

⁶¹ Partlett and Küpper, *The Post-Soviet as Post-Colonial*.

⁶² Russia terminated its membership in the Council of Europe in 2022. Therefore, the European Convention on Human Rights is no longer valid for and in Russia, and the European Court of Human Rights has no longer jurisdiction over Russian cases.

⁶³ Javid Damirov, "Auswirkungen Der Verfassungsreform Und Der Maßnahmen Gegen Die Covid-19-Pandemie Auf Das Steuersystem Der RF," *Wirtschaft Und Recht in Osteuropa* 29, no. 11 (2020): 328–31.

law. Russia has ridden itself of the international ‘pacta sunt servanda’ rule (although it continues to insist that other countries honour their treaty obligations towards Russia). This will reduce Russia’s attractiveness as a partner in international agreements on the long run because no state can be sure that Russia will keep its treaty promises.

The new Article 125(5.1) lit b) institutionalises the priority of Russian constitutional over international law by transferring onto the Federal Constitutional Court the role of the watchdog.⁶⁴ The Constitutional Court is given the power and procedure to scrutinise whether a decision of an international organ is in contravention of the Russian Constitution.⁶⁵ Again, this is not entirely new law because it had existed on statutory level since 2015.⁶⁶

2) *How Can We Interpret the Amendments?*

In the field of the domestic role of international law, too, we apply first the tool-box of democratic constitutionalism and then of the post-colonial theory of constitution. This allows for a comparison of the different readings these two sets of theories provide.

a) Democratic Constitutionalism

Traditional democratic constitutionalism understands the amendments as the termination of Russia’s integration into the rule-based international community. A country that allows its constitution to override the obligations it entered into in international treaties questions the binding nature of international law. This negates, in its last consequence, the rule-based character of international political and economic life. Russia no longer feels bound by the international consensus but wants to impose its own rules on other states.⁶⁷

Democratic constitutionalism can state this fact, interpreting it as another roll-back, this time not so much authoritarian but rather isolationist. It cannot explain, however, why Russia decided to withdraw from international legal life.

b) Post-Colonial Perspective

In this respect, a post-colonial reading can offer an explanation. As seen before, Russia wants to become an empire again. It concentrates state power in a ‘strong man-president’ and has re-defined its political position in the world. All these

⁶⁴ Bill Bowring, “Russian Attitudes to Public International Law,” in *The Foundations of Russian Law* (Oxford: Hart Publishing, 2023), 99, <https://www.bloomsbury.com/uk/foundations-of-russian-law-9781782256489/>.

⁶⁵ Tatiana Khranova and Alexandra Troitskaya, “Russian Constitutional Justice at the Crossroads: The Ambiguous Reform of 2020,” *Jahrbuch Für Osterreich*, no. 62 (2021): 83.

⁶⁶ Herbert Küpper, “Die Bedeutung Der EMRK in Demokratien Im Umbruch,” in *Demokratie Und Europäische Menschenrechtskonvention* (Vienna: MANZ’sche Verlags- und Universitätsbuchhandlung, 2019), 119.

⁶⁷ Sergey Yu. Marochkin, *The Operation of International Law in the Russian Legal System: A Changing Approach* (Leiden: Brill | Nijhoff, 2019), <https://doi.org/10.1163/9789004391017>.

measures can be interpreted as the endeavour to remove all obstacles that may stand in the way of the imperial aspirations of the Russian state and its leader.⁶⁸

The same pattern applies to the termination of the binding role of international law. International law, being based on the formal equality and equal sovereignty of all states and protecting every state's integrity against external interference, is another impediment to neo-imperialism. International law as it stands to-day is inherently inimical to a super-power status above the (international) law. It is certainly inimical to neo-colonialism and the definition of a certain region of the world as one state's exclusive zone of influence, as that state's own 'backyard', with limited sovereignty of the states therein and no rights of outside states to 'interfere' into this backyard.⁶⁹

International law therefore has the tendency to restrict Russia's super-power dreams and neo-colonial aspirations. As a consequence, the Russian constitutional amendments subordinate international law to the rules of the Russian Constitution.⁷⁰ Russia can now formally act as it pleases, at least as far as its treaty obligations are concerned. Whenever a rule of international treaty law protects the targets of Russian neo-imperial ambitions and aggressions, Russia can use its constitutional provisions on, e.g., the dynamic nature of its territory (i.e., on the possibility to accept new territories as federal units), the protection of 'compatriots', its succession to the Soviet Union or other rules in order to put aside opposing international treaties. The price Russia pays is isolation. Yet, isolationism has been an integral part of Russia's colonialism for most parts of its history, and self-isolation is not seen as negative in large parts of the political arena.

Conclusion

The post-colonial perspective sees Russia as a country that once was an imperial centre and now wants to return to this role. It provides for a coherent reading of large parts of the 2020 constitutional amendments. Nevertheless, the post-colonial aspect is neither the central nor the most important theoretical tool to understand those constitutional amendments. They do not, e.g., culminate all state power in a crown-president for the sole purpose of making Russia fit for neo-imperialism. The growing autocracy of the head of state serves genuinely domestic

⁶⁸ Tatiana Khramova and Alexandra Troitskaya, "Constitutional Defence Against the 'Enemies' of Democracy: Theoretical Considerations and the Russian Experience," *Russian Law Journal* 8, no. 2 (June 19, 2020): 28–48, <https://doi.org/10.17589/2309-8678-2020-8-2-28-48>.

⁶⁹ One leading case in this respect is the judgement of the International Court of Justice of 27 June 1986, *Nicaragua v. USA (Military and Paramilitary Activities in and against Nicaragua – merits)*, ICJ Reports 1986, 14. It has to be noted that this judgement is based not on customary international law but on a bilateral treaty between the USA and Nicaragua which the ICJ considered violated. In a parallel situation, the constitutional amendments of 2020 would allow Russia to refuse the execution of the judgement of the ICJ if the Russian Constitutional Court found that it was not in harmony with the Russian Constitution.

⁷⁰ Nico Krisch, "International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order," *European Journal of International Law* 16, no. 3 (June 1, 2005): 369–408, <https://doi.org/10.1093/ejil/chi123>.

purposes as well, such as to further consolidate President Putin’s personal power base.

Beyond the classical post-authoritarian reading, the post-colonial view adds new interpretations. It offers an explanation why Russia reverts to old Tsarist-Soviet patterns of autocracy, reduces democratic constitutionalism, or constitutionalises its so far unchallenged role as a successor of the Soviet Union more than thirty years after the fact.⁷¹

A post-colonial view may even shed additional light on the amendments designed to strengthen ‘traditional’ family structures. Obviously, the ‘preservation of traditional family values’, as Article 114 lit v) (as amended) puts it, does not immediately revert Russia into an imperial centre again. It is, however, a conscious abdication to ‘modernity’, to the 21st century as it is defined in the European context (to which Russia asserted to belong before 2020), and at the same time a conscious turning towards times when (Tsarist, Soviet) Russia was imperial. The social structures of the every-day life of citizens, too, should go back to those times in order to avoid a gap between the backward orientation of the state and the social structures of the population.⁷² Insofar, the ‘traditional’ family structures are part and parcel of the comprehensive anti-modernism that the 2020 amendments carry. This anti-modernism reinforces the neo-colonial self-definition of becoming a colonial centre again – which as such may be qualified in the early 21st century as an anti-modern anachronism.

These post-colonial elements are not totally new and unprecedented in Russia’s constitutional culture. The country never gave up colonialism entirely, neither in and after the collapse of communism in 1991 nor in the Constitution of 1993. Since the end of the Soviet Union and Russia’s independence, the ethnic Russian centre has continued to dominate the non-Russian, subaltern periphery. The change that the 2020 amendments make is that Russia’s colonial aspirations no longer remain within the borders of the Russian Federation but go to the outside, to the ‘near abroad’ – with a special target on Ukraine⁷³ – and eventually beyond, as Russia’s interventions in, e.g., Syria, Libya or some sub-Saharan states illustrate. Insofar, the 2020 amendments intensify and widen pre-existing structures and tendencies. They are quantitative rather than qualitative.⁷⁴

As a conclusion, a post-colonial interpretation of Russia’s constitution and its amendments provides additional insights into the country’s constitutional dynamics and thus adds to the understanding that the perspective of traditional democratic

⁷¹ William Partlett and Mikhail Krasnov, “Russia’s Non-Transformative Constitutional Founding,” *European Constitutional Law Review* 15, no. 4 (December 2019): 644–67, <https://doi.org/10.1017/S1574019619000403>.

⁷² Partlett, *Why the Russian Constitution Matters: The Constitutional Dark Arts*, 143.

⁷³ Luchterhandt, “Vladimir Putin schafft Klarheit: Präsident Russlands de facto auf Lebenszeit,” February 15, 2020, 148.

⁷⁴ Rainer Wedde, “Ein Abbild Der Realität? Die Version 2020 Der Russischen Verfassung,” in *Die Reform Der Russischen Verfassung* (Berlin: Berliner Wissenschafts-Verlag, 2020), 11.

constitutionalism and its post-authoritarian interpretation yield. Mutatis mutandis, the analysis of the Russian case offers new aspects to the general post-colonial theory of constitutional dynamics because it is a so far under-researched case-study of a former metropolis under the influence of its colonial past, with the most open and violent roll-back into neo-colonialism so far.

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