**CONSTITUTIONS OF THE REPUBLICS IN THE RUSSIAN FEDERATION**

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**Abstract**

In the article there researched constitutions of republics within the Russian Federation. There were considered their appearance, specific features, relationship with federal constitution. There were analyzed evolution of republican constitutions and summarizing conclusions were made.

In any federative state the questions of interrelation between federal legislation and legislation of federative subjects are of current importance. The priority of a federal constitution represents its highest legal force on the whole territory of a state, including federative subjects' territories. At the same time federative subjects' constitutions must reflect peculiarity and specificity native to each region. So, constitutional legislation must, on the one hand, provide unity and stability of a federation, but on the other hand, must guarantee for each subject its development with account taken of its singularity. These problems have always been in the center of political-legal science's attention.

The aim of the research presented the identification of the factors influencing on the degree of compliance of federative subjects’ constitutions with a federal constitution. The object of the research presented public relations, appearing in the process of federal and regional legislations’ interrelation. The subject of the research presented constitutional provisions of a federation and its subjects. As a result of the use of a comparative legal method there was able to identify the common, special and single in republican constitutions in the Russian Federation. The comparative legal method has allowed disclosing unity and diversity of a constitutional system and identifying its development tendencies.

**Main part**

According to Article 1 of the Constitution of the Russian Federation Russia is a democratic federative state and it empowers its subjects to have their own legislation. Article 5 of the Constitution of the Russian Federation guarantees that a republic as a part of the Russian Federation has its own constitution and legislation.

Republican constitutions within a republican legislative system are uppermost in the hierarchy of legal acts and constitutional relations.

The nature of a republican constitution lies in a fact that it is a fundamental law of a republic (state), which forms an integral part of the Russian Federation.

A republican constitution regulates the range of fundamental, basic questions and relations. The content of a republican constitution considers the principles guaranteed in Chapter 1 «Foundations of the constitutional system» of the Constitution of the Russian Federation. The sphere of relations, which are come under regulating on a republican level, are defined by the delimitation of matters of authority, guaranteed in the Constitution of the Russian Federation.

The Constitution of the Russian Federation doesn’t set the procedure of the adoption of republican constitutions. Existing republican constitutions guarantee that the adoption of the constitutions and their alteration are under the authority of corresponded republics. Having researched the experience of republics there can be specified that for the adoption of the constitutions there were used constituent entities, raised for that special purpose, parliaments and referendums.

The order of chapters in the constitutions reflects the priorities of republican state-legal development. The constitutions guarantee relations between a citizen and a state, principles of state power organization, cooperation between the authorities in conditions of separation of powers, property relations and use of natural resources, social protection and the questions of local self-government. Republican constitutions are legal basis of an existing legislation of a corresponded republic.

In any federative state there observed the principle of federal constitution's governance. All federative subjects' constitutions must comply with the constitution of a federative state. So republican constitutions in the Russian Federation also must comply with the Constitution of the Russian Federation.

It should be taken into account that the level of compliance of republican constitutions can be different. Republican constitutions can duplicate a federal constitution but they can also differ on some issues. It depends on different reasons.

Firstly, the way of federative state's establishment has great importance. As a rule federations, which were established by the way of pre-existing independent territories' union into one state, give their subjects more independence. In such federations the power "spills over" from regions into the center. Regions shares their independence with the center , that's why they have the major part of authorities. Federations, which were formed by the creation of federative subjects within a former united state, give their subjects less independence. In such federations the power "spills over" from the center to regions. Here, on the contrary, a federative center shares his power with regions, it means that it keeps the major part of authorities.

Secondly, the level of democracy in a state is of great importance. Federalism is the decentralization of power. It can be effectively realized only in the presence of democratic political regime.

The Russian Federation as a federative state was formed of a unitary state in 1918. Before it during the whole history Russia was a strongly centralized state. The proclamation of Russia as a federative state was rather formal. At that time Russia as a federation even had no its subjects. Only in 1919 the first republic was established - the Bashkir autonomous soviet socialistic republic. Later there appeared other autonomous republics, autonomous regions, national districts.

Only autonomous republics had the right to have their own constitutions. Soviet regime provided an extra-centralized character of a federation. The first republican constitutions couldn't be adopted independently, they were subject to federal authorities' approval. Republican constitutions not only duplicated the content of the Russian Constitution but they had the same structure and the number of articles.

The Soviet Union was also an extra-centralized federation. All 15 republics had the similar content with the Constitution of the USSR. And although the Constitution of the USSR proclaimed that every union republic had a right to withdraw from the USSR freely in practice it was absolutely impossible. Political regime was based on communistic party's monopoly.

Great changes took place after the USSR's dissolution. The Russian Federation became an independent state. In 1992 the Federation Treaty between the Russian Federation and its subjects - republics, territories, regions, cities of federal importance, autonomous districts and autonomous regions- was signed. The Chechen Republic and the Republic of Tatarstan didn’t join the Treaty. In Russia centrifugal tendencies began their developing. In the Federation Treaty republics were named as sovereign republics. The first president of Russia Boris Elcin during his speech in one of Russian regions declared: "Take as much sovereignty as you can swallow". In the Russian Federation there began the so- called " parade of sovereignties".

The project of the Constitution of the Russian Federation of 1993 didn’t use the concept of "sovereign republics". It caused the negative attitude. As a result only 58,4 % of electors voted for the Constitution, when that 54,8 % took part in voting. As a consequence, many republics in the Russian Federation wrote in their constitutions that they were sovereign states, possessed citizenship, built their relations with Russia on the base of treaties but not on the Federal Constitution. In republican constitutions there could be found the right of free withdrawal from the Russian Federation, the right to suspend the Federal law's action on a republican territory, the priority of republican laws over federal.

Thus, most of republican constitutions became contrary to the Constitution of the Russian Federation. That's why since 2000 the Federal center has begun the process of matching of the Federal constitution and a regional legal system. In 2000 the Constitutional Court of the Russian Federation took a decision twice that many of republican constitutions' provisions didn’t comply with the Constitution of the Russian Federation. The Court pointed out that only the Russian Federation possessed sovereignty and that republics must remove the provisions about sovereignty from their texts. After that republics began to bring their constitutions into accordance with the Federal legislation. The period of decentralization was changed by the period of centralization.

Today all republican constitutions has been brought into accordance with the federal Constitution on major issues. Many of republican constitutions have specific reflected historical and national peculiarities of republics. But the issues which reflect specific features of a region are fixed by each republic in its own way. For example, all republican constitutions have a national character. They contain the indication to a title nation (nation, that gave the name to a republic), have national names of parliaments, introduce its own state language in addition to Russian language.

**Conclusion**

On the basis of republican constitutions’ contents it can be judged about the level of federative centralization in whole. Unwarranted centralization and unwarranted expansion of the competence of subjects are equally unadvisable. Certain centralization is well-grounded, it is necessary for political, economic and legal stability in the state. But local interests also appear to be sufficient reasons . The harmonious combination of central and local interests are required for the development of an effective integral federative state.

Only with mutual understanding and mutual desire of a center and regions it can be created favorable conditions for the achievement of stability, the unity of legal space and the strengthening of the Russian state.